OCALA POLICE DEPARTMENT

September 16, 2019

MuckRock News
Mr. Samuel Sinyangwe
DEPT MR 77109
411A Highland Ave
Somerville, MA 02144-2516

Dear Mr. Sinyangwe:

Enclosed you will find the documents as requested below. Please see the explanations with each request.

1. The total number of police use of force incidents, broken down by type of force used, between 2013-2018 (separated by year). ***See attached Annual Reports for all Use of Force information.**
2. The total number of people that police used force against, between 2013-2018 (separated by year). ***See attached Annual Reports for all Use of Force information.**
3. A copy of all complaints reported by civilians against police between 2013-2018. ***All information is on the dvds.**
4. A copy of any documents indicating whether the civilian complaints identified in request #3 were sustained. ***See printed copies of Citizen Complaints, and 1 Internal Affairs investigation.**
5. The policy manual of the police department. ***All policies and contracts are on dvd.**
6. The current union contract between the city and any police unions. ***All policies and contracts are on dvd.**
7. All records regarding police shootings (including fatal police shootings, non-fatal police shootings and police shootings at a civilian that missed) between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths resulting from the incident, the names of all officers involved, whether administrative investigations found the incidents to be justified under police department policy and any disciplinary actions taken against the officers as a result of the incident. ***All information is on DVD.**
8. All records regarding civilian deaths or serious injuries resulting from police use of force

between 2013-2018, including incident-level information specifying the date of each incident, race and gender of all subjects involved, what weapon if any they were armed with, any injuries or deaths resulting from the incident and the names of all officers involved. ***Other than the shootings from request #7, we did not have any applicable civilian deaths or serious injuries resulting from police use of force.**

Per Florida State Statute Records Retention Schedule, all other documents from 2013-2014 have been disposed of.

Please let us know if there is anything else you need.

Sincerely,

Frank Zadnik

Sgt. Frank Zadnik
Office of Professional Standards

FZ/fz

ESTIMATE/INVOICE FOR PUBLIC RECORDS REQUEST

PLEASE REMIT TO:
CITY OF OCALA
Ocala Police Department
402 South Pine Avenue
Ocala, FL 34471
352-369-7000

TO: MuckRock News
DEPT MR 77109
411A Highland Avenue
Somerville, MA 02144-2516

Attn: Mr. Samuel Sinyangwe

PAYMENT TYPE	
MARK PAYMENT TYPE W/ X	
CASH	
CHECK	X
CREDIT CARD	
MONEY ORDER	

CATEGORY	VOLUME	COST
COPIES-SINGLE-SIDED @ $.15 PER PAGE	311	$46.65
SPECIAL SERVICE CHARGE (HOURS WORKED ON REQUEST) — EMPLOYEE HOURLY RATE WITH BENEFITS	33.65 14	$471.10
COPY OF CD/DVD @ $.30/$.40 EACH	3	$0.90
	SUB-TOTAL	**$518.65**
POSTAGE CHARGE		$5.35
	TOTAL	**$524.00**
	PAID	**$673.00**
PROJECT/REQUEST #: W003140-071219	**DUE**	**-$149.00**
REFUND TO BE ISSUED		

PAYABLE UPON RECEIPT (Cash or Check) Payable to: Ocala Police Department

CITY EMPLOYEE WILL SIGN AND DATE BELOW AND SEND TO REQUESTER		DATE
[signature]		9/23/19
REQUESTER WILL SIGN/DATE BELOW AND RETURN TO ACKNOWLEDGE ACCEPTANCE OF CHARGES		DATE
	☐ DEPOSIT ☑ FULL PAYMENT	
	AMOUNT PAID	**$524.00**

The initial invoice is an estimate. If the actual cost of the request is greater than estimated, you will be informed prior to work continuing. If less than deposit, the excess will be refunded.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Jackson	Carl	E	04/02/1977	mixed	M

Address:	Home Telephone No.:
5688 S.W. 117th Ave	352-427-0613

City:	State:	Zip:	Work Telephone No.:
	FL	34481	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hansen	T				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Sgt. Smith			☑ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
R. Leggett		
Additional Officers Involved: M. Hernandez		
Additional Officers Involved: D. Vitale		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
		9-27-17	2:30

Reason for Contact:

Remedy Sought: Officers Charged with unnecessary force, Assault charge, Return of Personal medical Bills Paid, Cowell as Bond money to be paid Back.

Statement of Complaint: (Use additional sheets if necessary):

While awaiting medics to come check me out, being I was advised to leave to go to hospital, after being assulted and pepper sprayed at cowboys, medic arrives and wash my eyes with water I was temporaly blind and could not see I was for more water for my eyes and then I'm being Slammed against the car and then Slammed on the ground on my face and I had knees on my neck and back and head the officers picked me up and are pulling ...

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature): Capt Eastman	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

on me yelling ya here and again I Cant See where to go and trying to tell my Brother to let them know I'm Not trying to Resist. I Just cant See. They sit Me in a car and tell me to Scoot over and I trying to But with them Shoving me and not Being able to See its easier Said than done. So all of a Sudden Someone grabes me with hand cuffed and pulls me across the Car to the other Side and then Slams the door on My arms and Bruk the use of excessive force. was unecessary. the officers.

Complainant's Signature

Date

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name: Jackson	First Name: Carl	M.I.: E	DOB: 04-02-92	Race: Mixed	Sex: M
Address: 5688 SW 167th Ave			Home Telephone No.: 352-427-0613		
City: Ocala	State: Fl	Zip: 34481	Work Telephone No.:		

Employee Information

Last Name: Hansen	First Name: T.	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name) Sgt. Smith	Rank:	ID No.	Supervisor on Scene: ☑ Yes ☐ No		
Additional Officers Involved: R. Leggett			Rank:	ID No.:	
Additional Officers Involved: M. Hernandez			Rank:	ID No.:	
Additional Officers Involved: D. Vitale			Rank:	ID No.:	

Complaint Information

Location of Incident: Cowboys Nightclub	Day of Incident: Sunday	Date of Incident: 08-27-17	Time of Incident: 2:30 Am

Reason for Contact: Pepper sprayed for no reason

Remedy Sought: Aggravated assult

Statement of Complaint: (Use additional sheets if necessary):

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature): Carl Jackson	Date Filed: 08/29/17	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

On 05-27-17 about 2:30 Am I was exiting the cowboys Night Club when Security guards were try to excort Out some men that were Fighting I Just so happen to be Right in the middle Of it So as well I was Shoved and pushed out the Door as well. When Out Side I pushed the Security guards hand off off me Because I had Nothing to Due with the incident The a Security guard Spayed mase at the men and be Cause I was Close mase got in my eyes as well once I made it to the Car cops approached me and asked if I wanted to be taken to the hospital I Said Yes then they refused to Let me go. Eventually they had an emt come and Rinse my eyes with water after pouring Water in my eyes I begin to Spit the water out of mouth She walked away then She came back as She came back I went to Spit Not Knowing She was there Because my eyes was Closed I Spit Near or on her Pant Legs. Sunbody the grabbed my arm and Because I couldnt See I Pulled my arm away then the Slammed me face first in to the Pavement with Knee in my neck Smashing My face on the pavement. The got me off the ground took me to the car and because I Couldnt See I was getting in the car Slow So the cop went to other Side of the Car and grabbed my arms and Yanked as hard as he could and pulled Me across the Seat and Now I am having Sholder problems on to of already Being under Medical Care.

Complainant's Signature: Carl Jackson Date: 09-21-17

-7017CC164732

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Jackson JR	Cam	E	04-02-92	Black	M

Address:	Home Telephone No.:
5666 SW 167th Ave	352-427-0413
City: Ocala State: FL Zip: 34481	Work Telephone No.: 352-615-9901

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hansen					

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Sgt Smith			☑ Yes ☐ No

Additional Officers Involved: R Leggett	Rank:	ID No.:
Additional Officers Involved: M Hernandez	Rank:	ID No.:
Additional Officers Involved: D Vitale	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Cowboy's night Club	Sunday	08-27-17	2:30 Hrs

Reason for Contact: Pepper Sprayed for No reason

Remedy Sought: Aggravated Assault

Statement of Complaint: (Use additional sheets if necessary):

The use of excessive force, rediculous Charges. for being pepper sprayed for no Reason.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Received By:
~~Ocala Police Department~~
Date: 10-20-17

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed:	I/A Number:

OCALA POLICE DEPARTMENT

January 22nd, 2018

Mr. Carl Jackson
5688 SW 167th Avenue
Ocala, FL 34481

Dear Mr. Jackson,

I am in receipt of your written complaint form in reference to the events which were documented under Ocala Police Department case #201700164738. You and I also had a phone conversation in reference to this matter, and you had a subsequent phone conversation with Captain Biondi concerning the same.

To be clear, your written complaint specifies "pepper sprayed for no reason" as well as "aggravated assult" [sic]. In both your narrative, and our ensuing conversation, you made clear that you were pepper sprayed by a member of the Cowboy's nightclub staff, and not any member of the Ocala Police Department. Therefore, that issue is not a subject for any internal review. In reference to your allegation of aggravated assault, you explained that language was intended to describe what you felt was an excessive use of force by officers during your arrest in relation to this incident. The use of force was captured on five separate body-worn cameras being utilized by the officers on scene that night. Pursuant to the Police Department's internal policies, every use of force is automatically reviewed by the chain of command of the involved officer(s). As such, the documentation and associated videos of the use of force with which you take issue have already been reviewed, and the use of force was found to be within department policies and legal guidelines.

Based on the above facts, I find no reason for further action in reference to your complaint, and no Internal Affairs investigation will be conducted into this matter. For clarity, I have attached a copy of the review of the use of force for your perusal.

Sincerely,

Sgt. G. L. Uptagraft
Office of Professional Standards

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Goncalves	Lucille	B	12-21-70		F

Address:	Home Telephone No.:
55 South Jefferson St	352-745-5227

City:	State:	Zip:	Work Telephone No.:
Beverly Hills	FL	34465	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Cabrera	Janette				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
			☒ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Over the phone	2-7-18	2-7-18	

Reason for Contact:
a stolen vehicle report

Remedy Sought:
I spoke to her Sgt that day

Statement of Complaint: (Use additional sheets if necessary):

I don't think officer should use thier positon to intimidate or threaten incarceration without know the whole facts

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
2-7-18	20180002378 5	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Goncalves Lucille	Cabrera Janette

Continuation of Complaint:

ON 2-7-18 I received a calle From officer Cabrera. Tell me that the car will be reported stolen if I didnt return it I tryed to explain that they just tried it less then 24 hr and that I hed paperwork stating it was a purahase a trade in she didnt wont to hear anything I had to say proceeded to tell how I would be arrested until I aske her if this call was on a recored line that is when she stop being nasty which I did state to her and she begon to listen but still continue to tell if I did come to the Ocala police department I would be arrested I tryed to tell her it was a civl matter but she did not want to hear it I bought the car amd my paperwork to prove that I didnt steal anything be the same dealership reported on the 2-6-18 about 10pm that I took the car on a test drive and never returned it. Also explained about how ther said I went on a test drive and never retured their vechicel and Citrus County had informed them they couldnt get inwoled With a civil matter she in returnd told she was Marion County that I would be going to jail

Complainant's Signature: Lucille Goncalves

Date: 2-13-18

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Lucille Goncalves realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 13 day of Feb, 20 18.

By (Signature of Affiant) Lucille Goncalves

Personally Known _____, or Produced Identification ✓, Type of Identification FL Drivers License

Official Notary Signature of Law Enforcement Officer

Original of this form is to be attached to Inquiry/Complaint Form

Reynaldo Alvarez
State of Florida
MY COMMISSION NO. FF 124633
Expires: May 19, 2018
Bonded through Western Surety Company

OPD-934 (12/09)

MEMORANDUM

TO: Rodney Smith, Deputy Chief of Police

DATE: February 21st, 2018

SUBJECT: Resolution of CC 02-18

FROM: M. K. Sommer Jr., Sergeant
Ocala Police Department

Please accept this memorandum as notification that the status of CC 02-18 is resolved at the supervisor level.

On 02/16/18, this complaint was forwarded to me for action. I was familiar with the case in that I was at the dealership to facilitate Lucille Goncalves' return of the vehicle after her conversation with Officer Cabrera and meeting with Sgt. Buetti. Ms. Goncalves was adamant that her dealing with Officer Cabrera was adversarial on Cabrera's part from the onset. She stated repeatedly Officer Cabrera threatened her with arrest for what was obviously erroneous conduct on the part of the dealership and was just rude. Sgt. Buetti met with her and the paperwork was very clear as to what needed to take place for the dealership to demand return of the vehicle. Officer Cabrera told me she tried to explain that if the demand was made and Goncalves didn't return the vehicle she could be arrested. It is clear Officer Cabrera was relying on information given to her by the dealership that may have not been accurate, as they misrepresented information to the Citrus County Sheriff's Office the night before contacting this agency.

As a result of the conversation, I told Ms. Goncalves I was going to recommend Interpersonal Communications training for Officer Cabrera as a way to resolve the complaint. The theme of Ms. Goncalves' complaint seems to be a recurring one in most complaints made against Officer Cabrera. I also made this same recommendation in a Supervisor Review Form involving Officer Cabrera from this same time period. Ms. Goncalves was satisfied with this action. It may also impress upon Officer Cabrera the seriousness of the Department's concern if she we to receive a stern warning from a member of the senior staff about her behavior.

As always, should you require any further information in reference to this complaint, please contact me at your convenience.

MS/ms
Attachments:
1. Original Complaint Form

2/22/18

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Nieb	Allan	G	11/10/83	White	M

Address:	Home Telephone No.:
1432 SE 38th Ave.	

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34471	352 274 1001

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Gonzalez	Jose		Officer	H	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
Mary Brewton	Sgt.		☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
None		
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
2500 SE 44th Ct.	NOV. 15, 2018		2:00 pm.

Reason for Contact: Callous language directed towards student

Remedy Sought: Report to proper Authority

Statement of Complaint: (Use additional sheets if necessary):

Please See Attached

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
Lt. Spicer	11/27/18		

Attachments: (list): Mr. Nieb statement & Xavier High statement

Supervisor Remarks: Mr. Nieb called Lt. Spicer on 11/15 regarding this complaint. I provided him the form which he completed to be forwarded via Chain.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
	11/27/18		

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed: 11/27/18	I/A Number: SI 18-04

Complaint Information Attachment

Narrative: On the aforementioned day, I was in ear shot (2-3 feet) of Officer Gonzalez when he made an unsolicited, inappropriate comment towards one of our students (Xavier High). The comment was spoken not in general vagueness, but directed at Xavier.

The events preceding the comment by Officer Gonzalez were as follows.

Xavier, upon returning to class from the bathroom, while walking behind Officer Gonzalez, put his hand 2-3 inches above the officer's head as if he were palming a basketball. He did not make physical contact with Officer Gonzalez, but obviously his actions were not appropriate, and he was then advised to join my dean (Kendell Vernon) in the office for a trite conversation on expectations and the gravity of even pretending to touch an officer of the law.

It was then at this time, that I, unaware of the situation, walked towards Officer Gonzalez to approach him and ask what had happened. He explained to me what Xavier did behind his back, and to him I replied something to the effect of, "Oh man, he knows better than that! You can't do that sort of thing, not something to joke around with." Officer Gonzalez then replied to me by saying, "If he had touched me I would have beat the fucking shit out of him."

During this exchange, Xavier was standing in the doorway of Mr. Vernon's office (dean) and he also heard the comment made by Officer Gonzalez. There was no mistaking what was said, and it was quite clear that Xavier heard the same comment that I did, and we represented the only people who did in fact hear the comment. Xavier became verbally combative, and said "What the fuck did you just say to me?" He continued with more verbal assaults directed at the officer, to which Officer Gonzalez immediately began to change his tone and say that he was not talking about Xavier, and what he said had nothing to do with Xavier. Xavier was upset, and he did not believe anything that Officer Gonzalez was saying. My sole intent in that moment was to guide Xavier back into Mr. Kendell's office to prevent the situation from escalating to a level that could have been volatile and life altering if he had continued towards the officer to confront him.

In that moment in time, as was explained to Mike Nebesnyk (SRMI's Executive Director), Officer Mike Diesso (SRMI SRO – not present during this event), Kendell Vernon (dean), and Sgt. Mike Spicer, I played dumb as if I had not heard the comment made by Officer Gonzalez. I did this for a number of reasons, but first and foremost to prevent a possibly dangerous situation on our campus to where the student, Xavier High, in his current state of frustration and anger, could have easily become physical with our staff, sought the affirmation of his peers by telling them that I had heard the comments, and by all accounts could have been the spark to ignite a potentially volatile situation.

I managed to calm Xavier down to the point he agreed to step back into Mr. Kendell's office and take a breath and talk to me. He was upset by the comment made by the Officer, that was callously directed at the student with very little awareness or discretion to consider how close the student still was, in plain hearing distance, and to use such language. Quite frankly, regardless of distance or ability to hear the

comment, in any environment where children and their families are the client we serve, I cannot justify the use of the language he used or the message that it sends.

Officer Gonzalez attempted to come into the office and address Xavier still trying to sell the story that he wasn't talking about him and that he "mis-heard" what was said and who and what it was about. Xavier again became combative and I stood up to again plead with Xavier to sit down and remain calm. At this point in the exchange, I stood up and was in front of Xavier, he turned around and paced towards the back of the office, away from the officer, and as he was doing so I turned towards Officer Gonzalez and signaled to him to turn his body camera on. I did this so that if something occurred that there would be visual evidence of how upset Xavier was, and the efforts put forth to try and calm the situation down.

In every action we execute here on a daily basis, we should be motivated by "what is in the best interest of kids." Withholding this information from the proper channels of oversight would be the exact opposite of what our mission statement is. Ethically, it is my responsibility to be an advocate for our children and to do what is always right by them.

In conclusion, we do not want Officer Gonzalez back as an SRO here for our contract with OPD. The events that transpired are not emblematic of our mission statement.

Thank you,

Allan G. Nieb

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Allan Nieb
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 27 day of November, 2018.

By (Signature of Affiant) _____

Personally Known ✓, or Produced Identification ____, Type of Identification ____

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

PATRICIA M. SMITH
Notary Public - State of Florida
Commission # GG 110889
My Comm. Expires Sep 30, 2021
Bonded through National Notary Assn.

OPD-934 (12/09)

Ocala Police Department
Supervisory Inquiry

Number: SI 18-04

Complainant	Allan Nieb		Date Received	11/27/18
Address	1432 SE 38th Avenue		Time Received	0800
City/State	Ocala, Florida		Received By (Name)	Lt. M. Spicer
Telephone	Home: ( ) - Work: (352) 274-1001		Investigator (Rank &Name)	Sgt. M. Brewton
Incident Location	2500 SE 44th Court			
Accused Officer(s):	Officer J. Gonzalez			

Summary of Complaint	On 11/15/18 Allan Neib, a school employee of SRMI, reported that Officer Gonzalez made an unprofessional statement to a student of the school during school hours in the presence of Mr. Nieb. Mr. Nieb submitted a formal complaint on the allegation. Major T. Woods ordered a formal investigation on the matter.

Investigative Summary	While working in the capacity of sergeant in the Youth Development Unit, I was tasked with seeking information concerning a complaint made by Allan Nieb, Administrator for The Silver River Marine Institute. Both Allan Neib and Xavier High submitted written statements when the formal complaint was submitted to the agency. On 12-03-18, I responded to The Silver Rive Marine Institute in reference to Citizen Complaint #18-04. Upon arrival I made contact with Xavier High, a student at the facility. I advised High that I was there to conduct an interview regarding the actions of Officer Gonzalez (the audio was recorded). High advised he was playing around behind Officer Gonzalez's head pretending to touch him, then walked away. High stated while walking away he heard Officer Gonzalez say "if either one of yall touch me I'm gonna beat ya ass". High stated he then started to use profanity against Officer Gonzalez. He stated after the incident Officer Gonzalez attempted to speak with him saying "I wasn't talking about you". High then stated that Officer Gonzalez stated "I'm going to beat your mother fucking ass if you touch me". High advised there was another student who possibly heard the conversation, but was unable to identify that individual. On 12-03-18, while at The Silver River Marine Institute and made contact with the complainant Allan Nieb. I advise Mr. Nieb that I was there to conduct an interview in reference to the actions of Officer Gonzalez (audio Recorded). Mr. Nieb advised he did not have any additional information in

	reference to this incident, but reiterate information he provided in his statement. Mr. Nieb stated Officer Gonzales stated "if he had touched me I would have beaten the fucking shit out of him". Mr. Nieb advised Officer Gonzalez was clearly referring to Xavier High when he made aforementioned statement. He further advised he is not looking to have anyone lose their job, but transparency must be observed and he needed to bring this incident to someone's attention. Mr. Nieb expressed that he no longer wants Officer Gonzalez to act as SRO at The Silver River Marine Institute. On 12-05-18, I made contact with Officer Gonzalez at New Leaf Alternative School and interviewed him in reference to this complaint (audio recorded). Officer Gonzalez advised he was acting in the capacity of SRO when Xavier High came up behind him and was playing behind his head. He further advised after the incident the Xavier High went to one of the offices, he stated he did say something to the effect of "if somebody hit me I'm going to beat their ass". He stated he was not sure of the wording, but did say he was not aware that the student had heard him. He stated he did try to explain to the student and staff member that he was not speaking directly to the student but that effort appeared to make the situation worse. I conclude from the aforementioned information that Officer Gonzalez did use and admit to using language which was unprofessional.

Disposition	
☐	Resolved with citizen and /or no further action deemed necessary
☐	Forward to Professional Standards for further investigation
☐	Issue to be resolved by Court
☐	Exonerated
☐	Unfounded
☐	Not Sustained
☐	Sustained
Violation(s):	

Action Taken	

Signature	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this _____ day of _____, _____

Investigating Officer

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	M.I.	DOB	Race	Sex
Paton	Cameron	T	12/9/97	w	m

Address	Home Telephone No.
10351 SW 74th CT	352-361-8952

City	State	Zip	Work Telephone No.
Ocala	FL	34476	

Employee Information

Last Name	First Name	M.I.	Title/Rank	Race	Sex
McBride	Tara				

Supervisor (Name)	Rank	ID No.	Supervisor on Scene:
Sgt Mike Sommer			☐ Yes ☐ No

Additional Officers Involved	Rank	ID No.
Joe Kelly		

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident
SE Fort King ST	Friday	03/02/2018	20:45pm

Reason for Contact: Improper display of Dealer Tag

Remedy Sought: Verbal Warning

Statement of Complaint: (Use additional sheets if necessary):

On the above described date and time I was stopped by Officer Mcbride for improper display of a dealer tag. I explained to her that I did have the tag but was unable to secure it by magnet do to the fact that the trunk lid was plastic. I provided her with my Driver License and insurance card upon her request. Another officer arrived and asked that I step out of the car and speak with him. It was at this time that he informed me that my Driver License was suspended. I at this time asked him why it was suspended as I was not ever made aware that it was suspended. I then asked him if it was expired? He then told me no that it was do to either unpaid child support, traffic tickets or insurance. I proceeded to tell him that I was unaware but agreed with what he was telling me. He then asked my passenger Cameron Phillips if she had a driver license at which time she said yes but

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Recived	Related Case Number(s)	Complaint No.
Lt. M. Sommer	3/3/18	2018000039263	CC-03 (2018)

Attachments: (list)

Supervisor Remarks: See memorandum by Captain Cuppy

Supervisor (Signature/ID No.)	Date	Employee (Signature/ID No.):	Date:
	3/20/18		

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed: 3/20/18	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, Mi.): Paton, Cameron T		Employee's Name (Last, First, Mi.): McBride, Tara

Continuation of Complaint:

but she did not have it on her person. I believe he then asked her for her information and requested that she move in to the driver seat of the car. She was told that she would drive the vehicle home. Cameron Phillips at this time confirmed with Officer Joe Kelly that it was ok for her to drive without having her license and he said it was ok. We both at this time sat in the car while he walked back to Officer McBride. A few minutes both officers returned to the passenger side of the vehicle where I sitting and informed me that they were issuwing me a criminal citation, and a notice to appear in court for driving on a suspended license. I at this time signed the ticket and asked the officers if they could give me any information as to why my license was suspended because once again I was NOT aware of this suspension. Both officers said it was do to some sort of unpaid financial responsibility. I informed the officers that last summer I had received a citation from FWC for not having proper safety equipment on my vessel. (Whistle). When i was issued this citation by FWC there was a descrepency in the amount the ticket was written for and the amount the court was expecting. We contacted the court in Citrus Coutny and paid the correct amount due. Citation Discrepency was do to FWC officer writing ticket for the amount his county requires as opposed to what Citrus County required. This was all handled within the amount of time given to pay the fine but I was asking the officers if this mishap could somehow related to the suspension they made me aware of. They said it could possbily be related. At this time they concluded the traffic stop and we were informed we could proceed home. As we were heading home within 10 minutes of the stop conducted by OPD we were then stopped by MCSO for improper tag display. We explained to this Deputy what had just occured and that we were trying to get home which was less than a mile away. He asked Cameron Phillips for her drivers license at which time she responded that she didnt have it with her and that OPD instructed her to drive the vehicle home. I then asked the deputy wsa there any way he could tell me why OPD said my licenese was suspended and he looked it up and said it was most likely insurance related. He also informed me that Officer McBride issued me a Criminal Citation which meant i knew my license was suspended which infact is UNTRUE. Once again I was NOT aware of this suspension. He then told me a little about the process to get additional information regarding my drivers license. He then told us to proceed on to the house and have a good night. On Saturday 3/3/2018 I received a voice mail message from Officer McBride to call her. Upon calling her she requested I meet her at the Ocala Police Department to speak with her. She told me not drive there that I needed a ride and we agreed to meet at 9:00am. I was driven by my parents and once we arrived my mother and myself walked over to Officer McBride. I asked my mother to speak with Officer McBride to let her know that upon researching online with the State of FL DMV that the license was suspended for Insurance. My mother is in fact the policy holder and I wanted her to explain that the Insurance was infact active and there was never a lapse or cancellation.

Complainant's Signature	Date

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Paton, Cameron T	McBride, Tara

Continuation of Complaint:

As we approached Officer McBride and said good morning and introduced ourselves and began discussing the insurance Officer McBride asked me if I was aware that I was an adult. Of course I am aware that I am a adult but i was unable to drive myself to the meeting and I thought since my mother is the policy holder that it would be beneficial to have her presence. I do consider Officer McBride comment subtle, and a very much unnecessary, jab. Officer Mcbride proceeded to inform me that she was amending the crimanl citation but that i was still responsible for the civil penalty issued for DWLSR and any and all fees associated with reinstatingmy license. She proceeded to say she shouldnt have written criminal citation based off what Officer Kelly told her that she should have in fact spoke with me herself before making the arrest.

I believe that Officer McBride poorly represented what the Ocala Police Department stands for and has displayed on all their patrol vehicles, which is Integrity, Courage and Character.

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Cameron Thomas Acton realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 3 ~~day~~ of 3, 20 18.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

MEMORANDUM

TO: Mike Balken, Deputy Chief

DATE: March 20, 2018

FROM: Steven Cuppy, Captain
Office of Professional Standards

SUBJECT: Complaint 2018-03

The Ocala Police Department received a formal complaint from Mr. Cameron Paton after a traffic stop contact with Officer Tara McBride on March 2, 2018. The complaint objected to the criminal citation received from the traffic stop and a comment stated by Officer McBride the next day as she amended the traffic citation. Lt. Sommer received the complaint and forwarded it to this office.

Reviewing this complaint it was determined the amended citation was the correct action by Officer McBride. The statement made by Officer McBride specifically referenced to Mr. Paton being aware he is an adult. Mr. Paton interpreted the comment as subtle and unnecessary jab since he brought his mother with him to the police department when the citation was being amended. Not considering the complaint serious in nature, I interviewed Officer McBride on March 18, 2018 to get an explanation for the comment. She stated the comment reference to being an adult was over notification for a suspended license mailed to Mr. Paton and he has a responsibility to check and receive mail as an adult.

I did receive comments from Lt. Sommer that Officer McBride can be direct in her comments and others, specifically citizens, can misinterpret this. I asked Officer McBride for her feelings about this comment and she was agreeable this is an accurate characterization of her. We discussed that Sgt. M. Buetti had a similar reputation early in her career, it could be beneficial for Officer McBride to discuss the experience Sgt. Buetti had with this issue, and how she managed it.

On March 20, 2018, I contacted Mr. Paton and discussed the resolving this complaint. Although he does not agree with Officer McBride, he accepted my efforts reviewing this complaint with Officer McBride and accepted our apologies if there was a misinterpretation of the actions of Officer McBride. I believe this complaint was resolved and recommend you accept it with no further action.

SLC/slc

Attachments: CC 2018-03

Approved 03/21/18

CC-04

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	M.I.	DOB	Race	Sex
Falvey			11/4/75		

Address	Home Telephone No.
2220 NE	

City	State	Zip	Work Telephone No.

Employee Information

Last Name	First Name	M.I.	Title/Rank	Race	Sex
K. Whitston / K. MacDonald					

Supervisor Name	Rank	ID No.	Supervisor on Scene

Additional Officers Involved	Rank	ID No

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary)

NOTE: By signing this document you are swearing and attesting that under penalty of law, the information contained herein is true and accurate.

Complainant Signature:

Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Received	Related Case Number(s)	Complaint No.

Attachments (list):

Supervisor Remarks:

Supervisor Signature ID No.	Date	Employee Signature ID No.	Date

Action Ordered:

Deputy Chief (Signature):	Date:	
Professional Standards (Signature): Captain S. Gay	Date Filed: 4/19/18	I.A. Number:

RECEIVED
APR 19 2018

Complaint Reception Record Narrative

Date of Report: 4/19/18	Complaint No.	I.A No.
Complainant's Name (Last, First, MI.): Tanner, Jamie T		Employee's Name (Last, First, MI.):

Continuation of Complaint: I request that the officers involved in my arrest on 4/19/18 be terminated. I was arrested and charged with Resisting Arrest, Disorderly Conduct, and Criminal Mischief. I was falsely arrested and charged with these crimes. I was not resisting arrest, I was not disorderly, and I did not commit criminal mischief. I was simply trying to walk away from the officers. I was not given any commands to stop. I was not given any commands to put my hands behind my back. I was not given any commands to get on the ground. I was not given any commands to do anything

Complaint Reception Record Narrative

Date of Report: 4/19/18	Complaint No.	I.A No.
Complainant's Name (Last, First, M.I.): Fowler, Jessica T		Employee's Name (Last, First, M.I.):

Continuation of Complaint: I'm to file more and report that the officers involved are continued with and I'm still waiting on how to proceed further with this matter. I'm also asking that a formal letter be sent to my residence due to Corona & Quarantine and I'm not able to go anywhere near them.

Complainant's Signature: Jessica Fowler Date: 4/19/18

RECEIVED
APR 19 2018

2018000068139

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 17 day of April, 20 18.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

RECEIVED
APR 19 2018

OPD-934 (12/09)

MEMORANDUM

TO: Louis Biondi, Major

FROM: Carmen Sirolli, Captain

DATE: April 27, 2018

SUBJECT: Officers K. Whitston/ K. MacDonald

On 04/17/18, Officers K. Whitston and K. MacDonald responded to Custom Windows Systems, at 1900 SW 44th Avenue, in an attempt to make an arrest on a BM Dionsha Farmer for the charge of aggravated battery on a pregnant woman (See case number 201800066857). After making contact with Mr. Farmer at his job, officers placed Farmer in handcuffs and after Mr. Farmer said they had the wrong person, officers verified his person's information with the PC affidavit that dispatch possessed.

While waiting for confirmation from dispatch, Mr. Farmer kept insisting he was the wrong Farmer that we were looking for and we possibly wanted his son Dionsha Farmer Jr. After verifying his date of birth and determining it was different on the arrest affidavit, Officer Whitston took the handcuffs off Mr. Farmer Sr., apologized to him, and explained to him the reason why he was handcuffed, as well as how they received information the suspect worked at Custom Windows (probation Officer).

After talking with Mr. Farmer and his supervisor, officers apologized again to Mr. Farmer and his supervisor for the misunderstanding that caused a disruption of the business. Prior to separating from the business, Officer Whitston apologized yet a third time to all involved.

The Allegations:

Mr. Farmers claims Officers Whitston and MacDonald both grabbed him immediately upon his entering the room telling him he was under arrest for aggravated battery on a pregnant woman. These actions are not uncommon when dealing with violent offenders. An employee who entered the room and described the size of Mr. Farmer may have also prompted these actions.

Mr. Farmer claims officers hurt him during the detention phase when they applied handcuffs too tight. He also alleges officers did not rectify the problem until his manager told the officer they were too tight. The officers did apply the handcuffs too tight at first, but immediately rectified the problem when Officer Whitston recognized it and then applied two sets of handcuffs to relieve the pressure causing pain to his wrist, not the employee's supervisor.

Mr. Farmer also alleged an officer relayed information to his probation officer, which could have violated his probation. This never happened; officers never contacted his probation officer to advise they were going to arrest Mr. Farmer Sr., but by running Mr. Farmer in the FCIC/NCIC computer, it created a "HIT" confirmation at Probation and Prole. Mr. Farmer's probation officer then contacted us to confirm he was being arrested.

Conclusion:

It was unfortunate officers failed to discover that two Dionsha Farmer's existed during the initial investigation, but this investigating didn't find any intent on the officers to do anything malice towards Mr. Farmer or his reputation.

I have taken the time to call Mr. Farmer and explain everything to him. I have also offered him the opportunity to come by my office and review the videos to help clarify the accounts of that day. Mr. Farmer agreed that was good idea, but in the last eight days, he has not called me to verify a date or time to meet.

Based on the information in Mr. Farmers complaint, I have **unfounded** any wrong doing on behalf of the officers. I also see no reason to apologize to Mr. Farmer in writing, but I did verbally for the time he was away from his work.

CJS/cjs



MEMORANDUM

TO: M. T. Balken, Deputy Chief of Police

DATE: June 8th, 2018

SUBJECT: Villanueva Complaint Resolution

FROM: M. K. Sommer Jr., Lieutenant
Ocala Police Department

Please accept this memorandum as notification that the status Mr. Villanueva's complaint is resolved at the supervisor level.

On 05/30/18, this complaint was forwarded to me for action. I was finally able to speak with Mr. Villanueva on 06/08/18. He and I reviewed the situation together and discussed several factors that influenced how the case was resolved on the night it took place. Upon listening to the explanation, Mr. Villanueva asked several questions and I answered them. We agreed this complaint was filed in haste and the emotionally charged incident was handled in what ultimately was one of two means of doing so. He and I agreed the complaint in this instance was resolved to his satisfaction and I prepared this memorandum for its closure.

As always, should you require any further information in reference to this complaint, please contact me at your convenience.

MS/ms
Attachments:
1. Original Complaint Form

06/12/18

6/11/18

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Address: [illegible]			Home Telephone No.: [illegible]		
City: [illegible]	State: [illegible]	Zip: [illegible]	Work Telephone No.: [illegible]		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name) [illegible]	Rank: [illegible]	ID No.	Supervisor on Scene: ☒ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident: [illegible]	Day of Incident: Monday	Date of Incident: 5-29-2018	Time of Incident: 1710 hrs

Reason for Contact: [illegible]

Remedy Sought: [illegible]

Statement of Complaint: (Use additional sheets if necessary):

[illegible]

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [illegible] Date: 5-29-2018

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Attachments: (list):			

Supervisor Remarks:

* ASSIGN TO [illegible]

* See Memorandum

Supervisor (Signature/ID No.): [illegible]	Date: 6/8/18	Employee (Signature/ID No.):	Date:

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)

☐ Conduct Supervisory Inquiry (Assigned to _____)

☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature): [illegible]	Date Filed: 5-30-2018	I/A Number:

Complaint Reception Record Narrative

Date of Report: 5-22-2018	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Villarreal, Robert Martin		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Sir, I give you my statement at this time regarding Sergeant T. Nelson. I started at Harris County Sheriff's Office on June 2nd, 2014. Throughout my time with the agency, I have had to deal with Sergeant Nelson. I have had to deal with his unprofessional behavior and his lack of knowledge regarding policy and procedure

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Anderson	Sandy	A	09/25/[illegible]		F

Address:	Home Telephone No.:
2750 NW Martin Luther King Jr Ave	240-601-1952

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34475	240-727-8972

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Letson	Rebecca			White	F

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
2750 NW MLK Jr Ave	Monday	May 28 2018	1:25 am

Reason for Contact:
James Whitmore escorted Brian Foster

Remedy Sought:
To have James remove his assault

Statement of Complaint: (Use additional sheets if necessary):
officer Letson told me to go into another room while she spoke to Brian she don't specify what it wasn't to hear anything that Brian was saying or could arguably me as being a credible witness she was very rude attitude and wouldn't even listen to my statement she never asked me for my name or information I am not in the report I was told I have a right to due process

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: Sandy Anderson	Date: 30th May 2018

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed:	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:
Assault Beat

Complainant's Signature: Dwight Ann Roberts Date: 30 May 2018

Page _____ of _____

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Hutchinson	Stuart	J	12/15/93		

Address: 4935 SW 1st Ave — Home Telephone No.:

City: Ocala — State: FL — Zip: 34471 — Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
FOSTER	JUSTIN		OFFICER	W	M

Supervisor (Name): Sgt. C. LONG — Rank: SGT — ID No.: 52 — Supervisor on Scene: ☐ Yes ☒ No

Additional Officers Involved: — Rank: — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Complaint Information

Location of Incident: OPD — Day of Incident: 07/02/18 — Date of Incident: — Time of Incident:

Reason for Contact: Officer Foster

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary): Officer Foster excluded me from information on how to file assault Charges, he misinformed me of the paperwork I would be receiving and had to be asked and begged to document my injuries that occurred during the assault.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] — Date: 07/03/18

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: Sgt. C. Long — Date Received: 7/03/18 — Related Case Number(s): 2018001694 1 — Complaint No.:

Attachments: (list):

Supervisor Remarks: SUBJECT WAS VERY LOUD AND DID NOT WANT TO TALK, HE JUST WANTED TO FILE A COMPLAINT. THIS IS ALL DUE TO THE FACT HE WAS ARRESTED.

Supervisor (Signature/ID No.): [signature] — Date: 07/03/18 — Employee (Signature/ID No.): — Date:

Action Ordered: ☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): [signature] — Date: 7-20-18

Professional Standards (Signature): [signature] — Date Filed: — I/A Number: CC 18-06

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Stuart Hutchinson realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 3 day of July, 20 18.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, ~~Type of~~ Identification ✓

Official Notary Signature of Law Enforcement Officer: _____ 5907

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Steve Cuppy, Captain

DATE: July 12, 2018

FROM: Chuck Long, Sergeant
Ocala Police Department

SUBJECT: Citizen Compliant

On 07/03/1/ Stuart Hutchinson came to the Police Department lobby and expressed his desire to make a complaint on an Officer. I was summoned to the lobby to speak with Mr. Hutchinson. Upon arrival I introduced myself and asked Mr. Hutchinson to tell me about the complaint. He advised he did not want to talk but just wanted to make a complaint. He was loud, overbearing and critical of the Police Department. I provided him with the Complaint Reception Record and he filled it out. He continued to make remarks about how we don't do our job and that he should not have been arrested. On 07/11/18 I was assigned to do a follow-up on Mr. Hutchinson's complaint. I called the number listed on the report and left a voice mail for him to return my call. On 07/12/18 Mr. Hutchinson did return my call and I informed him I was calling about his complaint on Officer Foster. I advised him that I had reviewed the body camera video of his arrest as well as the report itself. I further advised him that the Officer involved treated him politely and further that the Officer committed no wrongdoing. Mr. Hutchinson was not happy with this information and began saying how the Police Depart does a terrible investigation and began talking about his arrest. I advised Mr. Hutchinson that I was only discussing his complaint and not his criminal case. He continued to interrupt me with a loud voice and would not let me complete a sentence before he went on complaining. He then stated he wanted to make a complaint on me and asked how to do that. I explained the process was the same and he could obtain the forms from the Officer that was working the lobby. This ended our conversation.

CL/

CC-18-07

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Nichols	Iyanna	A	5/22/03	AA	F

Address:	Home Telephone No.:
1849 NW 27th Ave	352-274-3679

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34475	N/A

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Letson			OFC		F

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved: Sgt Wang was on duty and spoke to one of the 3 girls/ladies.	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
walmart 2660 SW 19th Avenue Rd	Saturday	06/09/2018	23:40 approx

Reason for Contact:
Ofc Letson exhibited unprofessional behavior

Remedy Sought:
Written Reprimand in HR file and restitution

Statement of Complaint: (Use additional sheets if necessary):
As my sister, cousin, and I were walking into Walmart (entered the doors) prepared to buy some marshmallows and chocolate we were approached by two caucasian officers one male and one female. They were accompanied by a young African american male. The female officer started yelling and waving her hands at the three of us, very frantically demanding/telling us to get out and shooing us away with her hands. She asked if we were over the age of 18, so my sister and cousin both said yes. Next, she said oh you all just look

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: Iyanna Cummings Nichols	Date: 7/7/18

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
OFC. D.R. SNOW	07-08-2018	2018 00102350	

Attachments: (list): AFFIRMATION FORM, COPY OF WRITTEN STATEMENT (2 PAGES), COPY OF RECEIPTS

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 7/10/18	
Professional Standards (Signature): Captain	Date Filed: 7/11/18	I/A Number: CC-07

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
7/7/18		

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Nichols, Iyanna	Letson

Continuation of Complaint:

so young.

I arrived home and told my mommy that I felt like she would have shot us. My sister and I told our mommy about the incident.

Complainant's Signature	Date
	7/7/18

MEMORANDUM

TO: Steve Cuppy, Captain

DATE: July 25th, 2018

SUBJECT: Formal Complaint

FROM: Jon McDonald, Sergeant
Ocala Police Department

I was assigned to investigate a formal complaint against Officer Letson which occurred on 6/9/18.

On 7/12/18 I made contact with Chenita Cunningham DOB 8/4/73 who is the mother of Iyanna Nichols. I asked Cunningham if I could speak to Nichols in reference to her formal complaint against Officer Letson. Cunningham said they were at church and I could met with them there. I asked Cunningham for permission to record my interview with Nichols and she requested that I only use an audio recorder instead of my body camera. While I was speaking with Cunningham she informed me that she is a teacher and that Officer Letson should have handled the situation better when speaking to her daughters. What bothered Cunningham the most was that she felt that her daughters and niece were being singled out and told not to enter the business. I then explained about the problems that the police department faces on Saturday nights in the Hollywood 16 and Wal-Mart west areas. Cunningham appeared to be understanding, but mentioned that she did not like the tone that Officer Letson used towards her daughters and niece.

Nichols said the same information that was provided in the formal complaint report. That she, her sister (Destinie Clark), and her cousin were walking inside when Officer Letson began waiving her hands. She later described it as a shooing motion and telling them to get out. Officer Letson then asked them how old they were and Clark said that she was over 18. Nichols said that they were all allowed inside the business. Nichols' main complaint is the tone of voice that Officer Letson used and the rudeness of telling them to leave prior to asking how old they were. She had no other complaint.

Cunningham then provided me with Clark's phone number (561-692-1926). Clark lives out of town, so I spoke to her over the phone. Clark made the same statements as Nichols and said that Officer Letson's tone of voice was rude. She had no other complaint.

Upon checking for body camera footage I observed that Officer Letson's body camera was not activated while she was working a call at Wal-Mart (case # 201800102350) which is related to this formal complaint. The call was in reference to several juveniles "trashing" the store and bothering customers. Officer Bertalan was also on scene with Officer Letson and his body camera was not activated.

I made contact with Walmart loss prevention and obtained a copy of their store video. I observed Officers Letson and Bertalan approaching juveniles inside of the business who appeared younger than 18 years old. While escorting one juvenile out of the business, I observed Nichols, Clark, and their cousin enter the business. I observed Officer Letson raise her right hand and had a brief conversation with them. The contact between Officer Letson and the complainants lasted no more than 10 seconds. There is no audio with the store video.

I will complete another memorandum in reference to Officer Letson and Bertalan not having their body cameras activated while having contact with citizens on a call for service. I will send it through the chain of command within the Community Policing Bureau.

In conclusion, the only department directive violation that I observed was 7.16 as it relates to video system procedures. The only complaint against Officer Letson was that she spoke in a rude manner with her tone of voice. No other policy violations were observed or reported. I request no further action be taken.

Should you require any further information, please contact me at your convenience.

JM/jm
Attachments (3):

1. Copy of formal complaint
2. DVD of security video from Wal-Mart
3. CD of audio interview with Nichols

MEMORANDUM

TO: Steve Cuppy, Captain

DATE: August 16th, 2018

FROM: G. L. Uptagraft, Sergeant

SUBJECT: Citizen Complaint 18-08

On 01/09/18, at approximately 0038 hours, Officer M. Coughlin and then-trainee F. Ocasio made contact with Ms. Erin Hollifield in the open atrium of the Olive Oil Market, located at 16 S. Magnolia Avenue. Ms. Hollifield was ensconced in this area along with multiple items of random property, including large framed pictures and statuary. Ms. Hollifield appeared to have a tenuous grasp on reality, referring to these items as "national treasures" and stating that her account could be confirmed by NASA and the FBI. After a lengthy process during which the officers made diligent attempts to facilitate Hollifield's return home, she was ultimately arrested for disorderly conduct. (See OPD case #201800005098). The arrest report indicates that Hollifield's property was recovered for safekeeping.

On 02/13/18, Ms. Hollifield responded to the Police Department to retrieve her belongings, which included the framed pictures and a handbag. However, Ms. Hollifield added the handwritten note "NO BRONZE" to the evidence receipt.

On 06/08/18, Ms. Hollifield contacted the Marion County Sheriff's Office to file a complaint in reference to her arrest in this case. Among other things, Ms. Hollifield alleged mistreatment at the hands of jail personnel, and loss of her property. This complaint was investigated by MCSO Inspector-Sergeant Ben Adams, and ultimately determined to be unfounded. (MCSO Complaint 18-62)

On 06/09/18, Ms. Hollifield filed a separate written complaint with the Ocala Police Department. This handwritten complaint was lengthy and unfocused, but generally seemed to indicate that she felt that Officers Coughlin and Ocasio had lost or stolen one of her "national treasures," namely a small bronze statue. I also met with Ms. Hollifield separately and confirmed that the missing statue was, in fact, the source of her concern. I subsequently conducted a review of the body cam footage available from Ms. Hollifield's arrest. It is clear from Ms. Hollifield's behavior that she is not fully grounded in reality. She makes claims that she resides within the Olive Oil Market itself, and has difficulties remaining focused in conversation while being asked straightforward questions. As noted above, the officers make a diligent effort to resolve the issue with Ms. Hollifield, spending almost an hour with her before she is ultimately arrested for Disorderly Conduct.

Officer Couglin's camera captures an important exchange with Ms. Hollifield concerning the missing statue. At approximately 0118:10, Ms. Hollifield is engaged in a loud tirade while holding the statue. She begins to gesticulate with the statue, nearly striking Officer Ocasio in the process. Hollifield is then instructed to put the statue down, and she retires to the pedestrian entrance of the Olive Oil Market, where she places the statue at the front door. This location is well-removed from her other belongings, and it appears as though the statue may in fact be a doorstop or other ornament of the business. Upon Ms. Hollifield's arrest, Officers Coughlin and Ocasio take great care to collect and inventory the various items of property which she had deposited in the alcove of the business; the small statue, however, is left in place at the business doors.

On 08/03/18, I made contact with Tony and Maggie Procida, the owners of the Olive Oil Market. The Procidas did recall locating the statue outside of their business sometime in January. They

stated that they were unsure where it had come from, and had kept it in the business for some time, where it had become somewhat of an item of discussion with customers. The Procidas stated that at some point, the statue had been disposed of, as no owner had ever come forward.

In totality, Officers Coughlin and Ocasio encountered Ms. Hollifield during the course of their duties. Despite Hollifield's difficult behavior, both officers remained calm and polite, and spent a great deal of time attempting to resolve the situation. Hollifield herself places the statue at the doors of the business, away from her accumulation of other property, which would reasonably lead one to believe that she is either abandoning the property or returning it to its rightful place as an accoutrement of the business. Both officers take great care to collect Hollifield's belongings, and I do not find fault with their failure to recover the statue, nor do I see a need for further action in that regard.

On 08/16/18, I made telephone contact with Ms. Hollifield and explained the loss of the statue to her. During our conversation, Ms. Hollifield again made statements which would indicate that she possibly suffers from some type of mental illness. She requested that I "put it in writing," which she clarified to be a request for me to mail her an official letter describing the outcome of this investigation. I have sent Ms. Hollifield a written summation via US Mail, and consider this complaint to be resolved.

GLU / glu

Attachments: Written Complaint of Erin Hollifield
OPD Case #201800005098
E-mail Complaint of Erin Hollifield to MCSO
MCSO Administrative Review of Complaint 18-62
Copy of Letter Sent to Erin Hollfield
Body Camera Recordings of Officers Coughlin and Ocasio

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	MI	DOB	Race	Sex

Address	Home Telephone No

City	State	Zip	Work Telephone No

Employee Information

Last Name	First Name	MI	Title Rank	Race	Sex

Supervisor (Name)	Rank	ID No	Supervisor on Scene	Yes	No

Additional Officers Involved	Rank	ID No
Additional Officers Involved	Rank	ID No
Additional Officers Involved	Rank	ID No

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident

Reason for Contact

Remedy Sought

Statement of Complaint (Use additional sheets if necessary)

NOTE: By signing this document you are swearing and attesting that under penalty of law, the information contained herein is true and accurate	Complainant Signature	Date

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Received	Related Case Number(s)	Complaint No

Attachments (List)

Supervisor Remarks

See Memorandum

Supervisor (Signature/ID No.)	Date	Employee (Signature/ID No.)	Date

Action Ordered

- [X] Resolved by Supervisor (Explanation Attached)
- [ ] Forward for I/A Investigation
- [ ] Conduct Supervisory Inquiry (Assigned to _____)
- [ ] Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:

Professional Standards (Signature)	Date Rec'd 8/16/18	I/A Number CC-2018-08

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature	Date

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
1-7-15	2015CC0005078	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
[illegible]	

Continuation of Complaint:

[illegible]

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 09 day of July, 2018.

By (Signature of Affiant) Jen Hollyfield

Personally Known ____, or Produced Identification ✓, Type of Identification FL D.L.

Official Notary Signature of Law Enforcement Officer: Sgt. E Hooper
Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Mullis	Brian	P	6/7/88	W	M

Address: 7727 SE 169th Terrance Rd — Home Telephone No.: 904-375-0076

City: Silver Springs — State: FL — Zip: 34488 — Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Martin	Brian				

Supervisor (Name): aka Derek Masseo — Rank: — ID No.: 4398 — Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved: — Rank: — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Complaint Information

Location of Incident: 216 NE 2nd Ave Ocala FL — Day of Incident: Wednesday — Date of Incident: 7/25/18 — Time of Incident: 10:10 around

Reason for Contact: Was hit by a trucks mirror

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

On 7/25/18 me and my wife Karessa Jones was leaving her clinic when I was opening her door for her. A F150 came in the parking spot next to us and hit me on my shoulder. I hit the glass to get his attention and he backed up hitting me again with the mirror. This time my wife hit the mirror. Trying to get his attention again. It does and he pulls up. And gets

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate — Complainant Signature: [signature] — Date: 7/25/18

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: Sgt. J. Brockbender — Date Received: 7/25/2018 — Related Case Number(s): 18-132524 — Complaint No.:

Attachments: (list):

Supervisor Remarks:

ON 7-31-18 I FINALLY MADE CONTACT WITH MR. MULLIS. I EXPLAINED ABOUT P/C AND THAT THERE WAS NO P/C TO INDICATE HE WAS STRUCK ~~INTENTIONALLY~~ INTENTIONALLY. HE STATED "I WILL SEE YA'LL IN COURT" AND HUNG UP.

Supervisor (Signature/ID No.): 1st. C. Lg — Date: 7/25/18 — Employee (Signature/ID No.): — Date:

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): — Date: 8/1/18

Professional Standards (Signature): Captain — Date Filed: 8/1/18 — I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI):		Employee's Name (Last, First, MI):

Continuation of Complaint:

Out of his vehicle and comes toward my wife I stepped in front of him. He threatened her told her "this is why you are going to die" He got back in the truck. We moved our vehicle, And the police was called when arrived they asked us our stories and went inside to look at the camera. Brian Martin came out and when he did he arrested my wife. And I asked what, about what he did to me. Officer Martins said "If you keep with that story you will be arrested for Obstruction of Justice how can you threaten to arrest me for the when I was the victim. I have the video and am taking it to a lawyer but I would like to have a police report of the incident.

Complainant's Signature	Date

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Goodman	Ronita	D	11/27/75	BIK	F

Address: 5001 SW 20th St Apt 3301
Home Telephone No.: 352-286-6758
City: Ocala | State: Fla | Zip: 34474
Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Previlon	J			BIK	M

Supervisor (Name): Sgt. Malone | Rank: | ID No.:
Supervisor on Scene: ☐ Yes ☑ No
Additional Officers Involved: McDonald (?) white female | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:

Complaint Information

Location of incident: 2905 NE 4th Ct Ocala, Fla
Day of Incident: Tuesday
Date of Incident: 8/7/18
Time of incident: 23:05

Reason for Contact: I dialed 911 for being assaulted (Physically)

Remedy Sought: reprimanded for failure to conduct a thorough investigation by interviewing any other possible witnesses present. Suggest further training on handling domestic violence calls.

Statement of Complaint: (Use additional sheets if necessary):

* Please see attached for statement of complaint *

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Ronita Goodman
Date: 8/14/18

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: Sgt F. Zadak #3701
Date Recived: 8/14/18
Related Case Number(s): 20180014043
Complaint No.:
Attachments: (list):

Supervisor Remarks: Please See the attached memorandum.

Supervisor (Signature/ID No.):
Date:
Employee (Signature/ID No.):
Date:

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):
Date: 9 5 18
Professional Standards (Signature): Captain
Date Filed: 9/5/18
I/A Number: CC-18-10

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
8/14/18		

Complainant's Name (Last, First, MI.): Goodman, Ronita D

Employee's Name (Last, First, MI.): Previlon, J.

Continuation of Complaint:

Officer Previlon fail to ask others that were present if they'd like to be a witness in reference to this incident. I was assaulted and arrested for wrong fully. It's upsetting and embarrassing to be wrong fully arrested for a crime I didn't commit. In 2007 I was arrested for obstruction/resist without violence. I'm not a violent individual, hold a current CNA licensee, in nursing School and a medicaid provider with the State of florida. I recently started my own business and have a contract with Agency for persons with Disabilities. I wouldn't jeopardize my career or cause such a handship on myself or family. Mr. Brooks has an arrest history of battery and Ms. Willis was arrested in Feb 2018 for aggravated assault with a deadly weapon and Criminal mischief on Mr. Brooks. I realize their prior arrest history doesn't have anything to do with this incident. However my point in this matter... This isn't my life style of being violent, getting arrested and causing hardship on/within my life. I hope upon reviewing my complaint and investigating this matter you can assist me with getting this charge dismissed. I'm willing to take a lie detector test to attest to the actual facts I've written in my complaint. If you have any questions you may contact me @ 352-286-6758.

(Please see my statement written on 8/7/18)

Complainant's Signature: Ronita Goodman

Date: 8/14/18

Complaint Reception Record Narrative

Date of Report: 8/14/18	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Goodman, Ronita D		Employee's Name (Last, First, MI.): Previlon, J.

Continuation of Complaint:

Officer Previlon failed to conduct a thorough investigation and interview any other potential witnesses that were near by. To include maker contact with 911 dispatcher before making his final decesion to arrest me. (Please see CAD report # 20180014204S) Searron Brooks Sr. stated "I Walked up on him and he pushed me". This arrest affidavit has false statements and isn't true to its entirely as to the actions taker place during this incident. It is true I arrived at the listed address after being called twice and texted once by Lacretia. It is true me and my children's father Searron Brooks Sr did get into a verbal altercation at the beginning. Mr. Brooks began to walk up to me, yelling and cussing putting his body up against my body. Yes. I held my hand up placing it on his chest in attempt to get his body off of my body and not cause him any harm. Mr. Brooks slapped me on the right side of my face / forehead area. I immediately dialed 911 and at the same time over heard Mr. Brooks stating he was calling the police. He also stated to Lacretia "Did I hit her" and she replied sarcastically "NO". I responded "Yes he did hit me". The OPD officers arrived with Officer McDonald making contact with me. (Please view body cam) and then officer Previlon made contact with me. (Please view body cam) statements were completed and Officer Previlon advised me I was being arrested. When I asked why I was being arrested Officer Previlon replied "According to or by the Witnesses statements I was the aggressor!" Please be advised the only two witnesses were Mr. Brooks and Ms. Willis that wrote statements, when others were present outside during this incident.

Complainant's Signature: Ronita Goodman	Date: 8/14/18

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Ronita Goodman realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 14 day of August, 20 18.

By (Signature of Affiant) Ronita Goodman

Personally Known _____, or Produced Identification ✓, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer: [signature] #3701

Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

MEMORANDUM

TO: Greg Graham, Chief of Police

DATE: September 5, 2018

FROM: Sgt. R. Malone

SUBJECT: Citizen Complaint Officer Previlon

The purpose of this memorandum is to document the results of my investigation into the Citizen Complaint Record completed, and submitted by, Mrs. Ronita Goodman. This records concerns the actions taken by Officer J. Previlon with regards to Ocala Police Department Case #201800142043 on 8/7/18. I have reviewed the applicable documents, reports and Body Camera (BCS) video of the events that occurred that evening and submit the following for review.

In summary, Officer J. Previlon and K MacDonald arrived at 2905 NE 4th Ct. on 8/7/18 in reference to a disturbance call for service in the area of Deer Run. After interviewing individuals on scene, and conducting an investigation into a domestic battery that had been alleged, Officer Previlon identified Mrs. Goodman as the Primary Aggressor and arrested her for domestic battery.

Subsequent to her arrest, Mrs. Goodman completed a Complaint Reception Record and alleges that Officer Previlon failed to complete a thorough investigation by not interviewing other possible witnesses present and suggests further training in handling domestic violence calls. Upon receipt of this record, I spoke with Mrs. Goodman via telephone and advised her that I would be looking into this and may call with further questions. She thanked me for the prompt attention.

I have reviewed the BCS for this incident and find that Officer J. Previlon was very respectful and professional with all parties involved. I furthermore find that he conducted a thorough investigation and spoke with all parties and potential witnesses present. While reviewing the BCS video, I observed that there were no additional witnesses present while officers were on scene. While speaking with Mrs. Goodman, she acknowledged to me that other parties may have come outside but did not want to become involved and therefore may have left the area. During the investigation, I observed that none of the parties in this matter identified additional witnesses or asked that officers knock on other doors in the area. When asked, Officer J Previlon advised that there we no additional individuals present on scene, other than the ones he interviewed.

Mrs. Goodman appeared to be truthful and stated to me a number of times while on the phone that she did put her hands on Mr. Brooks first. She furthermore explained that she believed that because Mr. Searron Brooks came into her "space", she was able to push him away. I explained to her the proper definition of Domestic Battery, to which she stated she understood. I further explained that the Officers on scene are not charged with determining guilt of any party, but rather establishing probable cause and identifying a Primary Aggressor, where appropriate. Mrs. Goodman sated that she understood this. In addition, I advised Mrs. Goodman that Officer J. Previlon would be conducting a brief training topic on Domestic Violence to other members of his shift. The purpose of this training is a review for the shift concerning the elements and steps taking in a Domestic Violence investigation.

It should be noted here that I find that Officer Previlon clearly tackled with the question of Primary Aggressor in this case. In fact he is seen on the BCS video discussing the fact with both his partner, Officer K. MacDonald in person, and even myself on the telephone. When asked later, Officer Previlon advised that he made the arrest in this case based off the fact that a prior domestic violence history between the parties was known and that once he made a determination on who the Primary Aggressor was, he decided he needed to make an arrest for everyone's safety.

At the conclusion of my investigation, I spoke with Mrs. Goodman via telephone and she thanked me for the attention and response. No further action was taken by myself at this time.

I respectfully request that this Record be closed and no further action taken at this time.

Respectfully Submitted,

Sgt. R. Malone



Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
SANTOS	MICHAEL	C	07051944	W	M

Address:	Home Telephone No.:
12111 NE 136th St	352 857 9460
City: Ft McCoy / State: FL / Zip: 32134	Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Earnhardt Ocala FL	Aug 14 2018		3pm - 4pm

Reason for Contact: Unfair Unsafe treatment

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I called the police on Edgar Garcia Jr. for showing me his weapon and verbaling saying "I will shoot you in the head". (For reason and total case #2018001468 15) police officers arrived and took their statement first. I witness the detective on scene take the firearm and put it under the passenger seat of Anselmo Santos car. Then walked to me after and said we are watching the others were waiting on a conclusion.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: Aug 14 2018

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received	Related Case Number(s):	Complaint No.:
SGT. M. GREEN	08-14-18	2018001468 15	CC-11

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 8 01 18	
Professional Standards (Signature):	Date Filed: 8/21/18	I/A Number: CC-18-11

Complaint Reception Record Narrative

Date of Report: Aug 14 2018	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

They never decided who's side to take before giving back the firearm to the person who threated to shoot my friend of (Edgar Garcia Jr.) I was given a tiny cut up piece of paper with a case number and told to sue her civily in 7 business days. The cameras at burlington should be rewatched. it is not fair to be able to threaten people with guns and just say "oh I did not say that".

Complainant's Signature: [signature] Date: Aug 14 2018

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Michael Christopher Santos realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 14 day of AUGUST, 2018.

By (Signature of Affiant) [signature]

Personally Known _____, or Produced Identification X, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer: Sgt. M. [signature]

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Frank Zadnik, Sergeant

DATE: August 19, 2018

SUBJECT: Formal Complaint

FROM: Jon McDonald, Sergeant
Ocala Police Department

I was assigned to investigate a formal complaint from Michael Santos in reference to case number 201800146815 which occurred on 8/14/18.

On 8/19/18, I made contact with Santos by phone. He was upset that the officers put a gun back into a person's possession who he believed should have been arrested. I explained that there is no probable cause to arrest anyone in this case. Santos still did not understand that we cannot keep a person's gun if they are not arrested or without cause. Santos told me that the officers on scene had laughed at him and told him that there is nothing that can be done. I then told him I reviewed Officer Hansen's body camera and he professionally explained how the case was going to be handled and he did not laugh at him. Santos quickly changed the topic of conversation, and began arguing that he had an ankle monitor put on because of what his ex-girlfriend told police. He went on to say it is not fair that we are not taking his side of the story. Santos became angry and said that he has Melony Slaughter as an attorney and that she is handling his case. Santos then said that he will "be in contact" with me. When I asked him to explain what he meant by that, he said he did not wish to speak any further until he speaks to his attorney. It should be noted that his tone of voice was very aggressive and confrontational.

In conclusion, Santos is upset that there was not an arrest made. When I directly asked him what type of outcome he was looking for in his complaint, he did not have one. No policy violations were observed or reported. No further action needed or taken.

Should you require any further information, please contact me at your convenience.

JM/jm
Attachments (1):
1. Copy of formal complaint

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
VERES	Bashena		1-16-79	BL	F

Address: 7865 W Highway 40 Lot 20
Home Telephone No.: 352- 942 2430
City: Ocala State: FL Zip: 34482
Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Gillyard	Tracy				

Supervisor (Name): Cynthia Haile Rank: ID No.: Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved: Rank: ID No.:

Additional Officers Involved: Rank: ID No.:

Additional Officers Involved: Rank: ID No.:

Complaint Information

Location of Incident: 3400 BLK SW 27th Avenue
Day of Incident:
Date of Incident:
Time of Incident:

Reason for Contact: Officer Attitude

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

ON 9-7-18 at 6:44 am. IM driving This morning on my way to work. I put the signal on to turn right to go to the parking lot of my Job. I heard Boom on my rear end. AT This time I don't know happen. After a couple of minutes I heard people saying are you ok and Someone said call 911. Paramedic came to give me treatment.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: Sgt Cynthia Haile Date Received: 9/7/18 Related Case Number(s): 2018OO62723 Complaint No.:

Attachments (list): Citation #A98TL6E

Supervisor Remarks:

Supervisor (Signature/ID No.): Cynthia Haile Date: 9/7/18 Employee (Signature/ID No.): Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): Date:

Professional Standards (Signature): Captain S. Gray Date Filed: 9/7/18 I/A Number: CC-18-12

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
9/7/18		
Complainant's Name (Last, First, MI.): Bastiena Veres		Employee's Name (Last, First, MI.): Tracey Gilyard

Continuation of Complaint:

As I was in ER an Officer walk in and ask if I was in an accident. The officer have a nasty attitude. He was asking me what happen I try to explain and my boyfriend was There also. We try talking to him. But he will not listen he ask if I was turning left and I said what. I told him I was turning right and my signal was on. I have no idea what he was Talking about. He handle me a paper saying it's a citation. He claim I was turning to left. Officer is very rude told me IF I have any question to call the Number and Officer Walk away. My boyfriend try to speak to him. He told him it is Not his concern he is speaking to me. try to talk but he won't listen.

Complainant's Signature: Bastiena Veres Date: 9-7-18

CC-18-12

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
VERES	Bashena		1-16-79	BL	F

Address:	Home Telephone No.:
7865 W Highway 40 Lot 20	352-942 2430

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34482	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Gillyard	Tracy				

Supervisor (Name):	Rank:	ID No:	Supervisor on Scene:
Cynthia Hailey			☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
3400 BLK SW 27th Avenue			

Reason for Contact:
Officer Attitude

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

ON 9-17-18 at 6:44 am. IM driving This morning on my way to work. I put the signal on to turn right to go to the parking lot of my Job. I heard Boom on my rear end. AT This time I don't know happen. After a couple of minutes I heard people saying are you ok and Someone said call 911. Paramedic came to give me treatment.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
Sgt Cynthia Hailey	9/17/18	2018001162723	

Attachments (list): Citation #A90TL6EE

Supervisor Remarks:

DUE TO CONFLICTING STATEMENTS AS TO THE CIRCUMSTANCES OF THE CRASH, CSS HAILEY HAD ALREADY DECIDED TO HAVE CSS GILLYARD VOID THE CITATION. I VIEWED GILLYARD'S BWC VIDEO HE BEHAVED PROFESSIONALLY AND WAS NOT "NASTY." MS VERES WAS ADVISED OF THE OUTCOME AND WAS SATISFIED WITH SAME.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
Cynthia Hailey	9/17/18		

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed: 9/13/18	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
9/7/18		

Complainant's Name (Last, First, MI.): Pastrena Veres

Employee's Name (Last, First, MI.): Tracey Gilyard

Continuation of Complaint:

AS I was in ER an officer walk in and ask if I was in an accident. The officer have a nasty attitude. He was asking me what happen I try to explain and my boyfriend was Their also. We try talking to him. But he will not listen he ask if I turning left, and I said what. I told him I was turning right and my signal was on. I have no idea what he was Talking about. He handle me a paper saying it's a citation. He claim I'm turning to left. Officer is very rude told me IF I have any Question to call the Number and officer walk away. My boyfriend try to speak to him. He told him it is Not his concern he is speaking to me. try to talk but he won't listen.

Complainant's Signature: Pastrena Veres Date: 9-7-18

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
JAMES	Willie	D	06/25/84	B	M

Address: 26026 NW MLK JR. AVE
Home Telephone No.: 352-361-6027
City: OCALA | State: FL | Zip: 34475
Work Telephone No.: 352-732-0701

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:

Supervisor (Name): | Rank: | ID No.
Supervisor on Scene: ☐ Yes ☐ No
Additional Officers Involved: | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:

Complaint Information

Location of Incident: Ocala Regional Hospital
Day of Incident: WED
Date of Incident: 10-19-16
Time of Incident: 8:00 pm

Reason for Contact: A Victim was sent

Remedy Sought: I ENDED UP going to JAIL ON SOME marijuana charge I BEAT.

Statement of Complaint: (Use additional sheets if necessary):

I WAS placed IN HANDCUFFS AT 8:00 pm AT THE Hospital. FROM THERE THE CUFFS WAS Tighted ON MY WRIST WHICH I MADE MANY gestures That THE CUFFS WAS Tighten. Then I ENDED UP AT THE OCALA PRECINT on PINE. I'll LIKE 2 AM. Around 2 SOMETHING I WAS Transported to THE jail house WHERE I WAS charge with possession AND I ENDED UP BEATING THAT TO..

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Willie James
Date: 9/28/18

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: SGT. G.L. UPTAGRAFT
Date Recived: 10/02/18
Related Case Number(s): 2016002136GO
Complaint No.:
Attachments: (list): AFFIRMATION FORM
2016002135G7
Supervisor Remarks:

* See Memo. FR

Supervisor (Signature/ID No.): | Date: | Employee (Signature/ID No.): | Date:

Action Ordered: ☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): Date: 10/10/18
Professional Standards (Signature): Date Filed: 10/4/18 | I/A Number:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Willie James
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 28 day of Sept Oct, 20 13.

By (Signature of Affiant) Willie James

Personally Known ___, or Produced Identification ✓, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer:
Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

MEMORANDUM

TO: Steve Cuppy, Captain

DATE: October 9, 2018

FROM: Frank Zadnik, Sergeant
Ocala Police Department

SUBJECT: Willie James Complaint

On October 2, 2018, Sgt. L. Uptagraft received a Complaint Reception Record from Mr. Willie James. In the record, Mr. James described his arrest for a marijuana charge in 2016, that the handcuffs were tight, and that he "beat" the charge.

The Statement of Complaint and Remedy Sought sections were vague. This investigator attempted to contact Mr. James (10/4/18 – Left message on "home" number voicemail at 1358 hours and left message with unknown female (uncooperative) at 1400 hours at "work" number, 10/05/18 – Left message on "home" number voicemail at 1320 hours and let "work" number ring 10 times without answer at 1322 hours, and 10/08/18 – Left message on "home" number voicemail at 1332 hours and second message with same unknown female at 1334 hours at "work" number) to clarify his complaint and remedy sought. All attempts were met with negative results.

Because of Mr. James' failure to return any requests for contact and no clear complaint, I request this Complaint Reception Record be unfounded at this time. If Mr. James does contact this investigator, a proper investigation will be conducted, if necessary.

FZ/fz

10/10/18

10/10/18

CC-14

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
BARRON	LYLE	A	8/3/1940	CAUCASIAN	M.

Address: 5706 NE 21ST AVE RD — Home Telephone No.: ~~352 433 2725~~ LB

City: OCALA — State: FL — Zip: 34479 — Work Telephone No.: CELL 760 330 6552

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
BUETTI (I THINK)			SARGENT	CAUCASIAN	F

Supervisor (Name) — Rank: — ID No. — Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved: SGT MALONE (I THINK) — Rank: SGT — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Additional Officers Involved: — Rank: — ID No.:

Complaint Information

Location of Incident: CORNER 1ST AVE / 12TH ST — OCALA — Day of Incident: ~~8/26~~ 8 SUNDAY — Date of Incident: 8/26/18 — Time of Incident: APPX 4 AM

Reason for Contact: GOING THROUGH RED LIGHT

Remedy Sought: UNDECIDED - STILL LIVID! - WAITING TO HEAR YOUR RESPONSE

Statement of Complaint: (Use additional sheets if necessary):

OFFICER JEOPARDIZED MY WIFE'S LIFE BY INSISTING ON CALLING 911 LETTER ATTACHED
& DON'T FELT FROM OCALA REGIONAL EMERGENCY ENTRANCE — DETAILS BELOW:
5/26/18 - SUNDAY 3:30 AM - MY WIFE UNABLE TO WALK, STAND, TALK OR COMPREHEND ANYTHING.
POSSIBLE STROKE: 15 MINUTES TO HOSPITAL - NO TIME TO WAIT FOR 911 - HAZARD LIGHTS FLASHING
CAME TO RED LIGHT CORNER 3RD & SR 40 - NO CROSSING TRAFFIC - POLICE CAR STOPPED AT
LIGHT AT OF INTERSECTION - I SLOWLY WENT THRU THE RED LIGHT THINKING THEY
WOULD ESCORT ME AND THEN PASS ME ATTICKED - SAW NEGATIVE IN MIRROR 301 (CONTINUING ON PAGE 2)
BUT ON TURNING LEFT AT 3RD INTERSECTION (THRU RED LIGHT NO TRAFFIC) I HEARD SIREN

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate — Complainant Signature: Lyle A Barron — Date: 10/4/18

FOR POLICE DEPARTMENT USE ONLY

10/15/18

Person Receiving Complaint:	Date Received	Related Case Number(s):	Complaint No.:
F. Zadnik	10/15/18		

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
- ☒ Resolved by Supervisor (Explanation Attached)
- ☐ Conduct Supervisory Inquiry (Assigned to _____)
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): — Date: 10 09 18

Professional Standards (Signature): — Date Filed: 10/16/18 — I/A Number: CC-14

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

BUT SAW NOTHING IN MY MIRROR UNTIL I WAS TURNING RIGHT ON 1ST AVE - ON 1ST AVE I ROLLED DOWN MY WINDOW - STOPPED FOR A SECOND LOOKING THEN ON - RESUMING THE LEGAL ESCORT TO EMERGENCY - WRONG !!

A FEMALE OFFICER WAS VIOLENTLY YELLING "PULL OVER NOW" WE WERE AT THE STOP SIGN OF 1ST AVE AND 12TH ST - (200 FEET FROM EMERGENCY) ! ENTRANCE ! - AT MY CAR DOOR - SHE WAS YELLING ALL THE TIME I WAS YELLING "I THINK MY WIFE IS HAVING A STROKE - LET ME GET HER TO THE HOSPITAL" - HER RESPONSE WAS - "YOU ARE ENDANGERING LIVES - YOU SHOULD HAVE CALLED 911" (MY THOUGHTS)

SHE OPENED WIFES CAR DOOR AND ASKED HER QUESTIONS AND TELLING HER "LET ME SEE YOUR FACE - SMILE - FOLLOW MY FINGER" (M/GOD - GET ME TO EMERGENCY) SHE COULD DIE - (WHAT IF IT IS A STROKE - SHE WAS IN MY OPINION TAKING MY WIFE'S LIFE IN HER HANDS !)

I SAID TO HER "WHAT IF THIS WAS YOUR MOTHER" - SHE ANSWERED "I WOULD HAVE CALLED 911" - OBVIOUSLY SHE WAS CRAZED WITH ANGER AND DEMONSTRATING SHE HAD AUTHORITY.. SHE CALLED 911 AND I CAN'T TELL YOU HOW MUCH TIME ELAPSED BEFORE THEY ARRIVED BUT THE DRIVER THREW HIS HANDS IN THE AIR AND YELLED - (POINTING TO THE HOSPITAL) "EMERGENCY IS RIGHT THERE !!!" - I DON'T KNOW WHAT THIS CRAZED OFFICER SAID BUT BOTH THE DRIVER AND THE STANDBY OFFICER COULDN'T BELIEVE THE WHOLE THING - I SAW THE MALE OFFICERS FACE SHOWING DISBELIEF - I DON'T KNOW WHY HE DIDN'T DO SOMETHING !

AFTER THEY LOADED MY WIFE ON THE CART & PUT HER IN THE AMBULANCE I ASKED THE "IN CHARGE" OFFICER HER NAME I WENT TO THE EMERGENCY ROOM - WAITED FOR ABOUT 45 MINUTES FOR THEM TO GET HER INTO THE EMERGENCY ROOM - I REFUSED TO SIGN THE AMBULANCE REPORT -

MY WIFE WAS TESTED & TREATED AND ADMITTED FOR OBSERVATION & FURTHER TEST FOR POSS STROKE - SHE WAS DISCHARGED ON WED 8/29 WITH NO CONCLUSIVE DIAGNOSIS RE: STROKE -

TO ME - THIS WHOLE INCIDENT IS A BLATENT VIOLATION OF HUMAN (DIGNITY) NOT (HOPEFULLY) REFLECTIVE OF LAWS OR POLICY OF OCALA P.D. (AND RIGHTS) Lyle Barron

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Lyle A Barron
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 15 day of October, 20 18.

By (Signature of Affiant) Lyle A Barron

Personally Known ____, or Produced Identification ✓, Type of Identification FL

Official Notary Signature of Law Enforcement Officer: T. Falk #5701
Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

MEMORANDUM

TO:	Captain Steve Cuppy	DATE:	October 21, 2018
FROM:	J. Buchbinder, Lieutenant	SUBJECT:	Sgt. Buetti Complaint

On Tuesday, October 16th 2018, I received a written complaint authored by Lyle Barron concerning a traffic stop that was conducted on August 26th by Sgt. Melissa Buetti. The traffic stop occurred at the intersection of SW 1st Avenue and SW 12th Street at 4:29 AM. A "CAD" report was completed by Sgt. Buetti, (CAD 18-154591) documenting the reason for the traffic stop, and the actions taken. I made contact with Mr. Barron by telephone and asked if we could speak in person to discuss the situation. He and his wife were out of the state and we spoke on the phone. He summarized his complaint, which mirrored the written complaint. His main concern was that Sgt. Buetti was "threatening" during the initial encounter, and his wife was placed in jeopardy by preventing them from travelling to the hospital. The written complaint indicates that Mr. Barron knowingly ran the red light and assumed the police would escort him to the hospital or write him a ticket. I explained that a review would be conducted on video footage from the traffic stop and Sgt. Buetti would be interviewed accordingly. When I inquired about a resolution to the complaint, Mr. Barron stated he was unsure, but made it clear it was his opinion that agency policy was likely violated during this traffic stop.

Sgt. Buetti's assigned vehicle (4-879) is not equipped with a video camera system. She is assigned a body camera. The notes in the CAD report written by Sgt. Buetti state she observed the vehicle driven by Mr. Barron driving at a fast pace south on Pine Avenue. The vehicle had emergency flashing lights on, and ran the red light at Pine Avenue and SW 10th Street where she attempted to pull the vehicle over. The final stop occurred in the 1200 block of SW 1st Avenue. The CAD notes include the EMS run number associated with this stop. Sgt. Buetti's notes state that her BCS was not activated as the battery died on the last call she assisted with.

I reviewed body camera segments from Sgt. Malone and Officer Treiber, who were both at the traffic stop. FTO Officer Ferguson was present on the traffic stop however he did not take an active role and did not have his BCS on. The footage from Officer Treiber did capture interaction between Sgt. Buetti and Mr. Barron, as she is attending to Sharon Barron who is the front passenger. Sgt. Buetti does elevate her voice when explaining the stop however Mr. Barron appeared agitated. Sgt. Buetti was professional when speaking to Barron. Sgt. Buetti was also attentive to Mrs. Barron, and one point was kneeling beside her, holding her hand, and calmly assuring her that an ambulance was on the way. The video footage from Sgt. Malone starts when he arrived to assist and only captures Sgt. Buetti tending to Mrs. Barron.

The CAD notes state EMS was called to assist at 4:30:55, and they arrived on scene at 4:35:55. I reviewed BCS video's for Sgt. Buetti during the shift in question, which showed her BCS was activated 6 times.

There were 39 minutes of recording time during the 6 activations. The last video from her BCS during that shift was the previous stop she assisted on at 3:48 AM. This would indicate that her BCS camera battery died. I wear a body camera, and even with little or no use during the shift, the battery typically will only last approximately 8 hours if there is not an opportunity to recharge it.

I interviewed Sgt. Buetti on Friday, October 19th. I allowed her to read the complaint submitted by Mr. Barron. Sgt. Buetti recalled the traffic stop and stated that department policy prohibits escorting a vehicle to a hospital. She advised that she was professional when she contacted the driver and stated he was very upset and agitated. She advised that once the car was stopped and she made contact with Mr. Barron, it was clear his intentions were to drive his wife to the hospital therefore no enforcement action for running the red light was needed. She believed she had an obligation to contact EMS which was done immediately. I inquired about the possibility of terminating the traffic stop and permitting Mr. Barron to continue to the hospital. Sgt. Buetti stated that it was her belief that since the vehicle was stopped and the occupants were lawfully detained (in reference to running a red light) she was liable to call for EMS once a medical emergency was discovered.

I reviewed department directives specific to this complaint allegation. Directive 4.04(C) 5a (Traffic/Escorts) states "*Civilian vehicle escorts with medical emergencies are not permitted*". In the same directive under letter (b), the directive states "*If a civilian requests an escort, the officer will summon Emergency Medical Services for treatment/transport of the ill or injured person(s)*".

Directive 3.02(Q) 11 (Required Behavior) states "*Members shall at all times consider it their duty to be of service to anyone who may be in danger or distress*".

In my opinion Sgt. Buetti calling for EMS during the traffic stop for Mrs. Barron was within policy. The language in policy does not specify a proximity to the nearest medical facility for taking such action. I will add that while speaking to Sgt. Buetti about this complaint, we discussed the alternative to calling for EMS and terminating the traffic stop, permitting the driver to drive to the hospital. I discussed the ability to exercise discretion during instances that may fall between policy and "best practice". I also recognize that Sgt. Buetti felt there was a liability concern had she allowed Mr. Barron to proceed and the condition of his wife worsened before she received medical attention. Concerning Sgt. Buetti's demeanor during the stop, in my opinion she acted professionally when speaking to Mr. Barron. It's difficult to fault Sgt. Buetti for her BCS battery expiring just prior to this incident. Her BCS download history in the video system reflect she uses her BCS appropriately when on duty and uploads the video footage in a timely manner. I submit that Sgt. Buetti did not violate department policy and our discussion about the traffic stop and other alternatives in this scenario would resolve this complaint.

JB/jb.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
KUBINAK	RICHARD				
Address: HOMELESS		Home Telephone No.:			
City: OCALA	State: FLA	Zip:	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name): RETIREVET	Rank:	ID No.	Supervisor on Scene: ☒ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
OCALA SQUARE			

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheet(s) if necessary):

4 BILLY BADASSOFTISIS TOLD me NOT TOO BACK IN the BAR THEY RIOT ARE WORTH 10000 DLRS I DIDNT HAVE TO GET MY CARE BACK THAT WHEN the LAW DOGS JUMPED (OVER)

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature:

Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
Sgt. Green	10/16/18		

Attachments: (list):

Supervisor Remarks:

See the attached memo

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed: 10/16/18	I/A Number: CC-18-15

I WAS subjected to Billy Lobs
I keep my composure at went
on A Phase of A Attach. With
I Learned in the US Army
A/1/1 Infintry and Studied
with the 11th Special Forces in
Bad Tolz Germany
I have been know to study
with Col Ron Murphy he is
my SPARRING Partner
so Godly work of
for God + Country these
offes Last man Standing
on my Ass I'm FRANK
KyBrookson he as you
know was one of the
Best DI in this Country
you passed of the Right
Mr Lee my father said you
don't want to Piss Richard

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 16 day of October, 2018.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification X, Type of Identification Social Services ID w/ photo

Official Notary Signature of Law Enforcement Officer: Sgt. M. G. 03145

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Lou Biondi, Major

DATE: October 17, 2018

FROM: Steven Cuppy, Captain
Office of Professional Standards

SUBJECT: CC 18-15

On October 16, 2018, Mr. Richard Kubinak filed a citizen complaint regarding his arrest on October 13, 2018 under incident number 201800187361. Mr. Kubinak's complaint form was not filled with specific details, but seemed to allege there were four officers that used excessive force during his arrest. I was able to determine that on October 17, 2018, Mr. Kubinak was arrested and was present at the Marion County Jail. I responded to the jail with Sgt. M. Green to conduct a follow-up interview with Mr. Kubinak.

Prior to responding to the jail, I viewed the body camera footage from several officers on the scene of his October 13th arrest. The primary officer assigned 201800187361 was Officer Carlos Ruiz. Assisting officers were Lt. M. Sommer, Officer R. Vann, and Officer M. Leibfried. Mr. Kubinak had a trespass warning issued to him for Pi, 110 SW Broadway Street, by Officer Ruiz approximately 30 minutes prior to his arrest (201800187341). Officer were called back to Pi due to Mr. Kubinak going back inside the establishment. Officer Ruiz observed Mr. Kubinak walking out of Pi as he approached on foot. Officer Ruiz caught up with Mr. Kubinak a block away an immediately secured him in handcuffs without incident. Other officers arrived on scene after Mr. Kubinak was secured in handcuffs. Mr. Kubinak was escorted back to Officer Ruiz's vehicle and secured inside without incident. It was very apparent from the video Mr. Kubinak was in an impaired state. No force was observed on the body camera footage.

At the Marion County Jail, Mr. Kubinak explained he exited Pi and was confronted by four police officers. Mr. Kubinak was handcuffed and then beaten by the four officers for going back into Pi. I explained to Mr. Kubinak the body camera footage did not match his explanation. Mr. Kubinak stated he has memory issues due to PTSD and the situation does not improve if he is intoxicated. Mr. Kubinak acknowledged being intoxicated at the time of his arrest. Mr. Kubinak stated the complaint can be disposed of.

Observing Mr. Kubinak, it appeared had some type of bruising around the left eye. It did appear on body camera video the bruising was present prior to officers making contact with him. Officers were originally called to the area because of some type of fight or disturbance (201800187341) that resulted in officers making contact with Mr. Kubinak to issue him the original trespass warning for Pi.

It is my recommendation this complaint be unfounded.

SLC/slc

MEMORANDUM

TO: Charlie Eades, Captain

DATE: August 20, 2019

FROM: Steven Cuppy, Captain
Community Policing Bureau

SUBJECT: Citizen Complaint 18-16

On August 20, 2019, Sergeant F. Zadnik contact me regarding an outstanding complaint filed with the agency on a Citizen Complaint Form and ultimately logged as CC 18-16. Sgt. Zadnik advised there was no final record for the complaint in the Office of Professional Standards and asked me if I had knowledge of its history and resolution. He also indicated the original paperwork could not be located.

On November 16, 2018, I was assigned to the Office of Professional Standards as the supervising captain. A citizen complaint form was filed by Jermaine Richardson on November 18, 2018 related to Ocala Police Department case number 201800209273 on Detective Doug Russell. I read over the complaint and determined that it should be examined and likely resolved by the immediate supervisor of Detective Russell. My usual practice for this procedure would be to make a copy of the complaint and forward it to the appropriate supervisor for resolution. The original complaint paperwork would be retained in the Office of Professional Standards until the assigned supervisor reports back with a memorandum documenting the results. I believe this is what I did with this complaint.

Sgt. Vizzini was the assigned supervisor for this complaint. The basis of the complaint by Mr. Richardson was Officer Russell did not have the right to enter the property for this criminal investigation. The location of the incident was on a vacant lot at the corner of NW 9th Avenue and 4th Street. Mr. Richardson has no control over this location. Mr. Richardson was thinking this location was on his mother house property that is located next to the vacant lot. Unknown to Mr. Richardson, the Ocala Police Department had secured permission to enter the property of Ms. Richardson to enforce criminal violations. This information is further documented in the criminal case. The totality of all this information clearly invalidated the complaint by Mr. Richardson and was the reason it was forwarded to Sgt. Vizzini for resolution.

Sgt. Vizzini requested that there be a delay in resolving the complaint. Sgt. Vizzini indicated that federal prosecution was being considered for the criminal case made by Detective Russell. I granted permission to Sgt. Vizzini knowing that federal prosecution could be delayed for months. Sgt. Vizzini wanted to use the complaint as an excuse to locate Mr. Richardson if they were successful in obtaining a federal indictment. I did check back several times with Sgt. Vizzini and he continued to ask for a delay in resolving the complaint. I was not overly concerned about resolving the complaint knowing the nature of the complaint. Mr. Richardson also has failed to ever follow up on the status of his complaint. In April 2019, I was transferred from the Office of Professional Standards and this case remained opened. I admittedly forget about the case at the time of my transfer. I checked with Sgt. Vizzini and he does not have the copies of the complaint that I provided him.

Please accept this memorandum as documentation of the incident and resolution of the complaint.

08/21/19

8-21-19

Oct 28 at about 2:20AM (I did... look at the clock when I woke up started and discombobulated but noticed when I lay back down as I wanted to make note of the time that it was 2;28 a.m.) a startling disturbance woke me from a dead sleep... In a bit in shock, I quietly scrambled to each window to see if I could see anyone or anything that created the disturbance and I heard and saw nothing. Then I lay back down for a few minutes of course unable to fall asleep thinking it was much too big a disturbance to be "nothing", I checked the rear window which was right next to me and realized at that point that the window was for the most part...GONE and fragments left were shattered. Didn't know what happened ...or how the window broke... ' had there been a tiny pinhole there for months and months and it suddenly shattered? Did someone try to break in? Did I scare them off when I woke up? There's no sign of any one out there right now... I can't do anything till morning and I'll assess it then'... are the thoughts that went to my head as I lay back down to try to get some sleep. In the morning when I examined it, it was clear that the item laying on the ground in the shattered glass was thrown into it causing the window to shatter and I don't know if they were trying to break in and then got scared off when they heard me scream or what but anyway...by the recommendation of a fellow artist who was passing when I was assessing the damage, I went to get assistance to get officers (on duty on the grounds) to get a police report: This was almost more alarming then incident itself: Officer D. Masseo and a 2nd officer came "for asssistance." I was very careful to have left everything untouched (with the bottle sitting on top of the glass debris.) Following thier inquiring as to the time of the incident and the 2nd officer stating 'I started on duty here at 2(AM) and I didn't hear anything', then, rather than examining the evidence they began a confusing line of questioning revolving around whether or not I opened the window: "... So did you try to open the window or not open the window? .... you said you opened the window or tried to open the window ....did you or didn't you...???". In waking from a deep sleep and in the state of a little shock, I honestly don't remember if I tried to open or not open the window when I look through it - I just remember noticing that the window wasn't there. But though I tried explaining that, the Second Officer quietly said 'I need to talk to you in private over on the side please'. Of course I complied. I followed him over there he proceeded to Read Me My Rights. Following this, feeling discombobulated and alarmed because I didn't understand why I suddenly felt as a Target criminal rather than a victim being assisted by the police department; I simply said I don't understand why you're reading Me My Rights but I'm happy to answer any of your questions. After he Read Me My Rights and I agreed to answer questions we walked back over to officer Massey. The two officers did a brief pow wow then officer Masseo approached me with his report , saying "...your story doesn't add up... why didn't you call the police immediately after finding out that your window was broken? Seems to me that would be the first thing someone would do." And, " if an obstacle was thrown into the window breaking it and there would be glass on the inside is there glass on the inside?? I was absolutely appauled and flustered by their approach, attitude and line of questioning. 'There must be glass on 48th inside', I responded...' I did not open the door yet do you want to open it and see?' Without giving it any thought or consideration he abruptly answered, "No." If either would have spent just two minutes to examine the evidence it was clear to even an untrained eye that the obstacle was thrown into the window. I had a friend help me take a bunch of pictures and videos before we cleaned up the mess (including footage of the door opening for the first time and all the glass falling out). Anyway the most alarming part was that rather than being assisted by the police I was harassed by them.

I sincerely appreciate your time and effort into addressing this matter.

Marilyn Vaillancourt
16296 Bronx Ave, Weeki Wachee FL 34614
727/9929318

marilynvaillancourt@yahoo.com
CASE # 20180019634S

MEMORANDUM

TO: Lou Biondi, Major

DATE: December 4th, 2018

FROM: Mathew Steckman, Sergeant
Ocala Police Department

SUBJECT: Citizen Complaint

On 11/14/18, I was notified of the Ocala Police Department receiving a complaint from a citizen regarding a call for service worked on 10/28/18 by Officers Masseo and Kern. Upon receiving the non-formal complaint, I found it to contain a single typed page written by Marilyn Vaillancourt, the CAD report for this incident and a completed Citizen Report Form.

I reviewed the typed document and on 11/16/18 made contact with Vaillancourt by telephone. The information I received from Vaillancourt over the telephone and the information contained in the typed document were consistent with each other. Vaillancourt explained she had contacted the officers due to an unknown person breaking a window in her van while she slept during the night. She advised the officers asked a line of questioning that confused her and after she tried to explain herself Officer Kern asked to talk with her in private. She advised Officer Kern then advised her of her Miranda Rights. She advised this alarmed her and made her feel more like a target than a victim. I advised her of the lack of experience between these two officers and she agreed this incident would better serve as a training moment.

I reviewed Officer Kern's body camera footage of this incident as well as reviewed the CAD notes and Citizen Report Form. On the body camera footage, I found the details Vaillancourt had provided were accurate. Officer Masseo did not activate his body camera during this incident and subsequently was issued a SPR to document this.

With the exception of Officer Masseo not activating his body camera, I did not observe any directive violations during this incident.

On 12/04/18, I met with both Officer Masseo and Officer Kern. I educated them on when Miranda is required and both stated they understood. I also advised them to investigate fully before accusing a citizen of being untruthful and to be more tactful if an investigation truly calls for such accusation. Both were receptive to this information.

Should you need any further information regarding this matter, please contact me at your convenience.

MS/ms
Attachments: (3) Three

1. Typed document from Vaillancourt
2. Citizen Report Form
3. CAD Information

12/4/18

Steve Cuppy

From: Cee Williams <ceewilliams08@gmail.com>
Sent: Thursday, September 20, 2018 2:42 PM
To: Steve Cuppy
Subject: Re: Complaint - Ocala Police Department

Yes 352-286-7903

On Thu, Sep 20, 2018, 1:54 PM Steve Cuppy <scuppy@ocalapd.org> wrote:

Miss Williams.....do you have a phone number I can call you at reference this complaint (see below) you filed with the agency. Thank you.

Captain Steve Cuppy

Office of Professional Standards

Ocala Police Department

352-369-7190

Good day sir! I hope all is well with you& your family. I won't hold you long as I DON'T EVEN have time out of my day to do this as well. I have been unable to make contact with person of authority, who has authority to Maje some CHANGES. However, I had an complaint about an unique particular officer of the OCALA Police Dept. The last altercation, Unfortunately experienced, I spoke with a Sgt. Long. Sgt. Long listened & provided an cellular number to himself if any more issues. I'm Currently unable to make contact as I'm continuously attempted. However, I have been stopped by the same officer as last time. Im MORE than certain..35 years living THAT he gave GREAT signs of PROFILING. I'M so Livid right now Sir, I wanted to express my concerns. I truly BELIEVE people as such DON'T deserve to wear a badge & serve innocent people in NEED of ASSISTANCE. I want to KNOW what actions can I take to hopefully insure justice?

Thank you so much for YOUR time in reading. God Bless you & your family

miss Cee Williams

Steve Cuppy

From: Mike Balken
Sent: Tuesday, October 2, 2018 8:09 AM
To: Steve Cuppy
Subject: FW: Re:

Mike Balken, Deputy Chief
Ocala Police Department
352-369-7174

From: Cee Williams <ceewilliams09@gmail.com>
Sent: Tuesday, October 2, 2018 7:33 AM
To: Mike Balken <mbalken@ocalapd.org>
Subject: Re:

I Truly feel uncomfortable with the Ocala police Department. Actually ANOTHER situation occured with an ofc. Canberra(a bulky gyrl..like a dominant fem). On which she showed up to my residence to inform me that someone was attempting to break into MY Car. Asked to come outside..had a gun drawn at the back of my head. Situation was so serious from which I was gathering info against OPD legally. I'm JUST so fed up with these Ignorant kids being sent out on patrol. This is unnecessary time & effort to take out of day because these kids are IMPROPERLY trained. This is so Ridiculous. I should get paid for my time. As the patrol officers do..to actually make Marion County worse. As can see have been Alot with you All. I do have my reasons to Desire to stay away.

On Tue, Oct 2, 2018, 7:25 AM Cee Williams <ceewilliams09@gmail.com> wrote:

Good morning. I missed your call yesterday. As I was unavailable. What information More NEEDED? 352 286 7903.

On Oct 2, 2018 7:02 AM, "Mike Balken" <mbalken@ocalapd.org> wrote:

Please respond with a telephone number so that we can gather more information from you.

Thanks

Mike Balken, Deputy Chief

Ocala Police Department

352-369-7174

From: Cee Williams <ceewilliams09@gmail.com>
Sent: Monday, October 1, 2018 12:57 PM

To: Mike Balken <mbalken@ocalapd.org>
Subject:

Good day sir!

I'm emailing you at this moment because you did NOT e-mail me back. I truly understand WHY the patrol cop was insobernet as his overseeree is not a Man of his word. I called regarding the identical patrol cop on an previous incident as well I'm contacting AGAIN.in the first incident YOUR patrol cop was Childish. In THIS incident, YOUR patrol cop stop me for opening my car door;After Following for about a few turns. I, myself, cobtacted you because I was unsure if THIS was a legitimate traffic infraction. During Our conversation I was mad aware you do NOT KNOW is Unaware if such can be justified. I have researched such... I hope you kept THAT word & researched to Obtain knowledge of for you & lost staff beneath you. He had NO reason to disturb My trip. OTHER than for the purposes of PROFILING. I JUST desire THAT boy's name & area/time of his route.(As I'm clearly attempting to be the GROWN up & avoid this 'snake pit' & stay away from this little lost white boy. As so make others aware of such OCALA Police Department employee. By the way: Over hearing ALL others conversations; The People, Law abiding citizens, are REALLY getting provoked & pushed into many corners as a result of, so to say, 'crooked' cops. I hope you have a blessed productive day.

Sincerely, ms. Williams

MEMORANDUM

TO: Mike Balken, Deputy Chief of Police DATE: October 5, 2018

FROM: Steven Cuppy, Captain
Office of Professional Standards SUBJECT: Calechia Williams Complaint

On September 20, 2018, you received an email from Ms. Williams outlining an issue she had with an officer from the agency. The email was forwarded to me with a request to answer the complaint. I contacted Ms. Williams on September 21st by phone to introduce myself, gather some additional information from her, and explain that I would need time to gather information.

The initial email indicated the accused officer was profiling her. She did not know the name of the officer but said this was the second time she was stopped by the same officer. Ms. Williams stated the officer was rude to her during the first stop and refused to hand her back her license. His actions included extending the license back to her to take and then pulling it away. Ms. Williams felt like the officer was specifically targeting her during the second traffic stop because she complained to a sergeant after the first traffic stop.

My initial review of the incident was to determine when Ms. Williams was stopped, who the officer(s) was, and if there was any additional information such as video footage that would assist me in determining the facts of the stops.

The first traffic stop was on July 31, 2018 @ 0836 hours in the 800 block of NE 8th Avenue (201800136644). Ms. Williams was operating a 1992 blue Chevy Caprice. The traffic stop was for illegal window tint. The officers on the stop were Officer Mike Brinkley and Officer Justin Foster. The officers were participating in a proactive patrol effort and were operating an unmarked red police vehicle equipped with emergency lights and siren. Both officers were equipped with body camera footage from the stop (added to this case). Officer Brinkley made primary contact with Ms. Williams. Ms. Williams indicated during the stop that the driver window to the car would not roll down due to being inoperative. The use of a tint meter indicated the tint was allowing a light transmittance of 10 percent. The legal limit allows a minimum light transmittance of 28 percent in the visible light range. Viewing the tint on the body camera footage, it was readily apparent the tint was too dark and created a sense of caution as the officers tried to safely approach the car. The officers made the decision to not issue a citation. Ms. Williams' information was run through DHSMV and NCIC/FCIC. Ms. Williams appeared agitated over the stop as viewed on the body camera. Officer Brinkley tried to explain the stop and this contributed to the agitation of Ms. Williams. It was at the end of the stop the interaction of Officer Brinkley appearing to extend the license back to Ms. Williams and then pulled back the license towards him to continue the conversation.

Ms. Williams did contact Sgt. Long by phone about the stop. Sgt. Long stated he recalled nothing unusual about the call and the complaint was resolved over the phone. He did not recall any further attempts by Ms. Williams to contact him.

The second stop was on September 20, 2018 @ 1058 hours in the 200 block of NE 28th Street (201800171442). Ms. Williams was operating her 1992 Chevy Caprice. The traffic stop was for opening the driver's door while the vehicle was in motion. Officer Brinkley was by himself during the traffic stop. His patrol vehicle camera was operational, but the microphone was not on his person. His body camera was not operational during this traffic stop. I did verify the camera was functioning properly as there was camera footage just prior to and after this traffic stop.

Ms. Williams recognized Officer Brinkley when he made contact with her. Officer Brinkley stated he did not recognize Ms. Williams or the car until she opened the car door. Officer Brinkley stated he called out for the driver to roll down the window approximately two feet away from the door because the window tint was so dark he could not see inside. Ms. Williams opened the car door and Officer Brinkley recognized Ms. Williams at that time. There is mannerisms on video that seem to support this, but is not completely certain due to there being no audio to the video. Officer Brinkley asked for Ms. Williams's license and explained the reason for the stop. During the stop Ms. Williams was complaining of shortness of breath and Officer Brinkley asked her twice if EMS was needed. Officer Brinkley stood by the driver's door the entire stop, ran the license to ensure it was still valid, and released Ms. Williams without a citation. Officer Brinkley stated Ms. Williams thanked him once the stop was over and then informed him that she would be complaining on him. There is no audio to verify this information.

I cannot find anything to support the allegation that Officer Brinkley was profiling or targeting Ms. Williams. Officer Brinkley had violations of Florida State Statutes to support the traffic stops. He appeared professional in his actions as viewed on video and did not issue a citation for the violations that he observed. He did not ask to search Ms. Williams or her car. The interaction during the first traffic stop of extending the license and pulling it back was not an issue that needs addressing. Officer Brinkley did not have his body camera activated during the second traffic stop.

I wanted to extend beyond the traffic stops with Ms. Williams to examine if Officer Brinkley is conducting himself in a professional manner. I reviewed two months of activity from the monthly reports for Officer Brinkley and concluded he is an active officer. He led his squad in total calls, dispatched calls, traffic stops and arrests. Additionally, I pulled all suspended license cases initiated by Officer Brinkley for the month of August 2018. I selected six random cases throughout the month and reviewed car and body camera footage looking for any issues. Overall, there was nothing reviewed that causes concern that Officer Brinkley is not performing in a professional manner. His traffic enforcement targets different areas of the city and he utilizes different tactics to make stops. As an example, Officer Brinkley could be seen on body camera footage running a tag while in motion, thus developing probable cause for a stop. He was also observed positioning himself in a stationary manner looking for traffic violations. I do believe there are officer safety issues that came to light as a result of this examination and recommend they be addressed through remedial training through the Community Policing Bureau. It should be noted that all the calls examined had body camera footage for review. Of the six traffic stops reviewed four had B/M drivers and two had W/M drivers. Although all six were criminal offenses, it appears only twice did he conduct a search of the vehicle he stopped. And one of those was based on smelling burnt marijuana. The information from the examined calls is attached to this document.

On October 2, 2018 I contacted Ms. Williams by phone to set up a time we could meet in person and review the material I had collected during my examination. Ms. Williams made it clear to me she would not meet me at the police department due to her experiences and concerns about how the agency has treated her. I requested the opportunity to meet with her in another location she could feel comfortable with and she again refused to meet with me. Ms. Williams grew increasingly

frustrated with me as we discussed some of what I learned from my examination. She stated that I needed to understand people are getting frustrated with the actions of Ocala Police officers and one of them could get hurt. I continued to challenge Ms. Williams that I found it to be unfair that she would make an allegation in the manner she did and not meet with me to examine the materials I had compiled. She ended the conversation by saying "Fuck you" and hung up the phone, thus ending the conversation.

My recommendations are this email complaint and accompanying documentation be filed within the Office of Professional Standards. I believe the complaint is unfounded. The officer safety issues noted on Officer Brinkley need to be addressed through follow-up training. There is a policy violation regarding not activating his body camera video during the second stop with Ms. Williams.

SLC/slc

REMEDIAL TRAINING - OFFICER SAFETY ISSUES
SPR - BODY CAM VIOLATION (IF FIRST OFFENSE)

10/10/18

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	M.I.	DOB	Race	Sex
Sutter	Tara	D.	6/22/72	White	Female

Address	Home Telephone No.
5476 SW 41 St. St.	678-276-6496

City	State	Zip	Work Telephone No.
Ocala	Fl.	34474	678-276-6496

Employee Information

Last Name	First Name	M.I.	Title/Rank	Race	Sex

Supervisor (Name)	Rank	ID No.	Supervisor on Scene	Yes	No

Additional Officers Involved	Rank	ID No.

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident
Outside home - 5476 SW 41 St. St. Ocala, FL. 34474	8/27/2018	↔ Monday	22:17 – 25:23

Reason for Contact: Officer personally administered prescription medicine to my young adult son who had taken a mixture of meds, had prior history of overdose + multiple suicide attempts.

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

On this evening, my son Denver J. Sutter had become defiant and irrational. He had recently been prescribed a new headache medication from the ER doctor due to head pain and a possible concussion. My son went through horrible trauma by his biological father. He was a victim of sexual abuse when he was younger. He has been under the care of many doctors, therapists and treatment centers due to this trauma. Denver has been Baker Acted multiple times since his predator neared and was released from a Georgia prison. He almost died a couple times due to suicide attempts by overdose, and/or been in the ER. Although his treatments are helping him learn to deal with

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate.

Complainant Signature: Tara D. Sutter — Date: 10-8-2018

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Received	Related Case Number(s)	Complaint No.
Sgt. M.	10-10-18	201800155757	

Attachments: (y/n) — 201800155950

Supervisor Remarks:

Supervisor (Signature/ID No.)	Date	Employee (Signature/ID No.)	Date

Action Ordered:

- ☐ Resolved by Supervisor (Explanation Attached)
- ☐ Conduct Supervisory Inquiry (Assigned to _____)
- ☒ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature)	Date	

Professional Standards (Signature)	Date Filed	I/A Number
Captain Steve	10-10-18	IA 18-11

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	IIA No.:
8-27-2018	201800155757	
Complainant's Name (Last, First, MI.):		**Employee's Name (Last, First, MI.):**
Sutter, Tara D.		

Continuation of Complaint:

everything, he still has triggers. We had just been dealing w/one of these triggers days prior to this incident as I was called as a witness back to Georgia by the district attorney there to testify yet again. Due to all these things, we try to keep all prescriptions + medications locked up. Unfortunately, this day was extremely busy with a lot going on. Denver had gotten a hold of various prescription medications prior to them getting locked up. I noticed medications and were missing and approximately the amounts. Denver's behavior had significantly changed. He was stubbling, not walking straight, being defiant, verbally aggressive, and slurring his speech. We were worried he was going to overdose + called 911. Officers arrived and spoke to each family member, our company and Denver. All of his prior history was explained and our concerns. Denver told the officers he was 18 + wanted control of his medication. We explained we feared he was trying to overdose due to his upset over the recent court hearing. The main officer who seemed in charge was a lady w/brown hair. She stated the medication belonged to him since he was 18. I explained I understood, however rules of the house + advice from his therapists has been to monitor his medications. After still trying to explain to her his past overdose + suicide attempts, she asked when he was scheduled to take his one prescription. Technically if taken correctly, he would have been due for another dosage. However, I told her he had already had at least 2 more than prescribed. He had also taken up to 14 muscle relaxer type medications I had just picked up from the pharmacy for his sister. I also explained I believed he had also taken other medication. The officers did not seem to care about any of these factors. She insisted I go into my home and bring her 2 more of his prescribed medication even though he was already under the influence. She also made me go inside and get him a glass of water. She (not I) then administered the prescription pills to my son. Not even just one like the dosage stated but 2! She then proceeded to leave w/the remaining officers even though he was still acting irrational. Since she also told him his medication belonged to him + technically I could not hold it from him, he went inside the home and took the rest of the bottle of his prescription. This all in turn caused his behavior to become worse. Later I had found my son, Denver, almost completely incapacitated in his room. He had taken the entire bottle of that prescription (approx 9 more pills), the remaining muscle relaxers that he had hidden (all together by that time 12 pills) and several Ambien type pills (approx 3-4). (This is what I know of.) 911 was called again for possible overdose which escalated to him being arrested, taken to the hospital and back to the

Complainant's Signature	Date
Tara D. Sutter	10/8/2018

This second 911 call was Tuesday, 8-28-18 at approx. 0721 hrs. Case # 201800155950

First 911 call case # 201800155757

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Tara Sutter realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 10 day of October, 20 18.

By (Signature of Affiant) Tara B Sutter

Personally Known _____, or Produced Identification X, Type of Identification FDL

Official Notary Signature of Law Enforcement Officer: Sgt. M. [illegible] 03145

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO:	Rebecca Letson, Officer	DATE:	February 8, 2019
FROM:	Mike Balken, Deputy Chief	SUBJECT:	Discipline

Upon reviewing internal affairs investigation 18-11, and the imposed disciplinary action taken against you by Major L. Biondi, I have decided to rescind your termination and impose the following discipline for the policy violations sustained against you.

- 160 Hour Suspension
- Mandatory Domestic Violence Retraining
- Mandatory Preliminary Investigation Retraining

In accordance with Department Directive 3.02 (N)(1), I am also imposing a 12 month disciplinary probation period.

Pursuant to Article 7.8 of the Collective Bargaining Agreement, you may elect to forfeit a maximum of 20 hours of vacation or compensatory time during a two year period. You must notify my office by Wednesday, February 13, 2019 if you elect to forfeit that time. Any remaining suspension days must be served no later than May 01, 2019.

I expect this will resolve the matter and you will utilize better judgment in the future.

MB/mb

Hand delivered by _____ on 2-10-19 at 1430 hours.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Findlay	William	None	3/24/52		

Address:	Home Telephone No.:
1840 SE 81th Street - Suite 1302	
City: / State: / Zip:	Work Telephone No.: 352-236-7787

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Gauthier	Unknown	Unknown	Unknown		

Supervisor (Name):	Rank:	ID No.:	Supervisor on Scene:
Unknown		Not Provided	☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved: None	Rank:	ID No.:
Additional Officers Involved: None	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
3595 West Silver Springs Blvd	Sunday	1/30/2017	18:30

Reason for Contact: Unprofessional and inappropriate behavior

Remedy Sought: Review with employee - Retrain as necessary

Statement of Complaint: (Use additional sheets if necessary):

Mr. Gauthier was dispatched to the appove location in response to a property damage incident. Mr. Gauthier refused to provide any information about the person causing the damage or a copy of the incident report. Comments were in appropriate and unprofessional. Also rude and offensive.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: William Findlay	Date: 1/30/2017

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

*** See attached narrative ***

2/9/17

Supervisor (Signature/ID No.): Sgt. C. Eades 4708	Date: 2/14/17	Employee (Signature/ID No.):	Date:

Action Ordered: ☒ Resolved by Supervisor (Explanation Attached) ☐ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date:
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
01/30/2017	N/A	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Findlay, William	Gauthier, Miguel

Continuation of Complaint:

William Findlay is the owner of McDonalds located at 3595 West Silver Springs Blvd. Findlay completed a complaint reception form regarding a crash investigation completed by Officer Gauthier. Per the complaint, it was stated that Officer Gauthier refused to provide any information about the person involved in the crash, nor did he provide an incident report. The complaint also stated Officer Gauthier was rude and offensive and his comments were inappropriate and unprofessional. The date of occurance Findlay provided, January 30th, 2017, was not accurate. I was able to locate the case number attached to the crash Officer Gauthier investigated (201700020654). The crash actually occurred on January 29th, 2017. There were two VieVu videos attached to the case (6 minute video and a 37 minute video). The videos show Officer Gauthier making contact with the manager of McDonalds, Shayla Steele. Steele informs Officer Gauthier that the driver of a truck jumped the curb in the drive thru and struck the menu board. Officer Gauthier then made contact with the occupants of the vehicle and began his crash investigation. Officer Gauthier was shown the damaged menu board by Steele. Officer Gauthier made the recommendation for the business to consider placing a barrier near the menu board due to the multiple crashes that have occurred at the location. At the conclusion of the investigation, Officer Gauthier attempted to print out the crash report, but, due to a printer malfunction, he was not able to. Officer Gauthier made contact with Steele at the conclusion of the investigation. He explained that due to his printer malfunctioning, he was not able to print out the crash report. Officer Gauthier supplied Steele with his name, the case number, and the phone number for the police department so they could obtain the police report. It should be noted that during Officer Gauthier's crash investigation, an armed robbery had occurred, therefore, he was not able to call for another officer with a printer to assist him.

After reviewing the body camera videos, I responded to McDonalds and made contact with Steele. Steele stated that she felt Officer Gauthier was rude and that she did not appreciate him having the discussion with her regarding a barrier near the menu board. I asked Steele if Officer Gauthier refused to provide her with any information and she stated he did not refuse, but, did not give her a copy of the report. I explained to Steele that the body camera video shows Officer Gauthier attempting to fix his printer. I further explained that after viewing the video, it did not appear that Officer Gauthier was either rude or offensive. Steele stated she felt that Officer Gauthier was rude. I asked Steele what she wished to do with the incident and she stated she did not wish to do anything about the incident and that it was between the police department and the owner of the business.

On February 7, 2017, I made telephone contact with the complainant, William Findlay. I asked Findlay if he was on scene and he advised he was not. He stated that he received the information from Steele. I explained to Findlay that after viewing the body camera footage, it did not appear Officer Gauthier was rude of offensive. I also explained to Findlay

Complainant's Signature	Date

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
01/30/2017	N/A	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Findlay, William	Gauthier, Miguel

Continuation of Complaint:

that Officer Gauthier did not refuse to provide any information, but, that due to a printer malfunction, he was unable to print it out. I further advised Findlay that although the printer wasn't working, he still provided Steele with his name, the case number, and the number to the police department.

After reviewing the complaint reception form, the crash report, and the body camera footage, Officer Gauthier completed all of the necessary documents to record the incident. He was not rude or offensive, he was just trying to find a solution to Steele regarding the crashes occurring there. Although, I understand why Officer Gauthier was speaking with Steele about putting barriers up at the business, that conversation would have been better had with Findlay since he is the owner.

Due to the entire incident being capured on VieVu, I did not interview Officer Gauthier to gather any more information. Based on the video evidence, it appears this complaint is unfounded.

Sgt. C. Eades #4708

Complainant's Signature	Date

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Jackson	Zenaida	M	03/01/92	B	F

Address:	Home Telephone No.:
33 water Track Dr	352-454-0769

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34472	875-8434

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Bertallan	N/A		officer	W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
~~Martin~~ Malone			☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Tyburski		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Motel 6	Thursday	1/12/17	12:30 am

Reason for Contact: Car was Stolen from motel 6

Remedy Sought: I was arrested

Statement of Complaint: (Use additional sheets if necessary): I called the police on 1/11/17 due to my [illegible]

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
OFFICER M. SAMS	1-21-17	2017000005209	CCD-0[illegible]

Attachments: (list):

Supervisor Remarks: I READ THE REPORT AND WATCHED OFFICER BERTALLAN'S BODY CAMERA VIDEO, (COSAM). THIS COMPLAINT DOES NOT REFLECT THE ACTUAL INCIDENT, I

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
S.L. 55	1-21-17		

Action Ordered:
- ☑ Resolved by Supervisor (Explanation Attached)
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to _____)
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 2/2/17

Professional Standards (Signature):	Date Filed:	I/A Number:

Received 2/15/17

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature	Date 1/2/17

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature	Date

Page _____ of _____

MEMORANDUM

TO: Deputy Chief R. Smith

DATE: February 28, 2017

SUBJECT: Citizen Complaint CC17-02
REF: OPD #201700008209

FROM: Sgt. R. Malone
Ocala Police Department

On 2/15/17 I received a Complaint Reception Record for review from Sgt. M Sommers. This record involved Ocala Police Department Case Number 201700008209 that took place on 1/12/17 at the Motel 6 located at 3810 NW Blitchton Road. Within the body of the complaint Record, Zenaida Jackson (B/F DOB: 3/1/92) states that she lost her car keys some time during the evening and became afraid while in her hotel room. Jackson further states that she became upset when she was asked to leave the hotel by Ocala Police and management of the property.

It bears note here that earlier, on 1/11/17, Zenaida Jackson was also issued a trespass warning by Officer Letson at 1930 SW 38th Ave. (See OPD Case # 10700008067). Officer Letson closed the call with CAD notes and entered the incident into the record system. A copy of this entry is included as an attachment. Within the body of the complaint, Jackson states that she was grabbed by the arm and "slammed (sic) to the ground" where she hit face first with no hands to catch herself. This entire event was captured on Officer Bertalan's BCS and in fact, an SRF was completed for the incident. The events as depicted by Jackson do not match my review again fo the BCS system used during the SRF. The aforementioned SRF was completed by me, reviewed by the acting Watch Commander, Sgt. Eric Hooper and final review completed by Captain Steve Cuppy.

In reviewing the documents relating to the calls for service, the request by the property manager of Hotel 6 to issue a trespass warning to Mrs. Jackson, and the complete BCS video of the incident leading up to the arrest of Jackson, it is my opinion that Officers on scene followed all applicable Directives and Protocols of the Ocala Police Department. Both Officer Bertalan and Tyberski spent a significant amount of time and effort on scene trying to bring the situation to a peaceful conclusion. Mrs. Jackson refused to obey lawful commands given by both Officer Bertalan and Officer Tyberski. This refusal resulted in minimal force being used to effectuate an arrest of Jackson.

During the entire use of force, Officer Bertalan had is department issued BCS running. This video was used during the completion of the SRF. This video provides a first person view of Jackson's attitude, actions, and demeanor toward the officers present.

In conclusion, It is my recommendation that the SRF completed for this incident be utilized as documentation of a clear and concise review of the incident and that no further action be taken by this department. Repeated attempts to speak with Mrs. Jackson to convey this information to her has met with negative results. It closing, it is my recommendation that this case be closed without further action.

RLM/rlm

Attachments

a.) Complaint Reception Record

b.) Calls for Service Record OPD Case #201700008026

c.) Calls for Service Record ODP Case #201700008027

d.) Calls for Service Record OPD Case #201700008209

e.) Supervisor Review Form (use of force) (OPD Case #201700008209)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Pleas	James		05/21/1969	B	M

Address:	Home Telephone No.:
MCJ	

City:	State:	Zip:	Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Freeman	Lonnie		Officer	W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Hooper, Eric	Sgt.	S7	☑ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Camacho, Luis	Agent	
Howie, Kyle	Officer	
Vitale, Derek	Officer	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
3960 SE 17th Ct.	Monday	01/09/2017	2259 hours

Reason for Contact: PC Arrest

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

See attached letter/videos

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Sgt. M. Sommer	03/01/2017	2017-00006388	CC 17-07/SI 17-02

Attachments: (list): 2 letters, photograph

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
[signature]	3/3/17		

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☑ Conduct Supervisory Inquiry (Assigned to Lt. Douglas)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 3/8/17

Professional Standards (Signature):	Date Filed:	I/A Number:

MARION COUNTY SHERIFF'S OFFICE

February 27, 2017

James Pleas, Sr.
692 NW 30th Avenue
Ocala, Florida 34475

Re: AR 17-25

Mr. Pleas,

The Sheriff's Office takes seriously all complaints and strives for professionalism. On February 27, 2017, The Office of Professional Standards received a letter from you in reference to a complaint related to your arrest dated, January 9, 2017.

You stated in your letter, "I believe that Corporal Joshua Parker was there that night with his K-9 dog," however I have confirmed he was not on duty at the time of your arrest.

I have reviewed your complaint and found that you were arrested by the Ocala Police Department and your letter of complaint has been forwarded to them for review.

Sincerely,

BILLY WOODS, SHERIFF

By Inspector Julie Vowinkel
Office of Professional Standards

Cc: Captain Rowe

CS# 16CF0005794X
CS# 17CF0000914X

INTERAL AFFAIRS,

I AM writing BECAUSE ON 1-9-17 I WAS ARRESTED by MARION County Sheriff DEPARTMENT. I WAS PLACE ON sheild from my previous ARREST. I WAS TREATED VERY RACIEST AND my sheild device WAS thrown AWAY by the ARRESTING officers. When I went to bond out, my sheild device NEVER got turn in. The officers stated your black CAREER CRIMINAL ASS will never get out of jail AGAIN, If it WAS up to me I'll take you down A back ROAD AND HANG you. SINCE my ARREST BRENDA SUTTON AND Aisha Bowen has went to states Attorney office AND Drop Charges AGAINST me. I believe CPL Deputy Joshua PARKER WAS there that night with his K'9 dog. Also could you tell me About forward PROSIATION AND why my case is being dragged out for no REASON. PLEASE INVESTIGATE my claims. My family is in process of obtaining A Civil lawyer about RACE AND my Sheild device.

P.S. GOD BLESS
All I want is my charges Drop.

Mr. James B. Pleas Sr.
2-24-17

Ocala Police Department
Supervisory Inquiry

Number:

Complainant	James Pleas		Date Received	03/01/17
Address	700 NW 30th Avenue		Time Received	1200
City/State	Ocala, Florida		Received By	Sgt. Sommer
Telephone	Home: (352) 000-0000 Work:		Investigator	Lt. Fernland

Incident Location	3960 SE 17th Ct., Ocala, Fl
Violation Alleged	Complainant alleges that officers made racist statements towards him and threw away his shield device.

Accused Officer(s): Sgt. Eric Hooper, Ofc. Derek Vitale, Ofc. Lonnie Freeman, Ofc. Kyle Howie, Ofc. Luis Camacho

Summary of Complaint	Complainant, James Pleas Sr., wrote a letter to MCSO Internal officers indicating that he was arrested on 01/09/2017 by that agency. Complainant writes that he was treated very racist and his shield device was thrown away by officers. Complainant alleges that his device was not turned in by officers. A review by MCSO Internal Affairs found that the complainant was arrested by the Ocala Police Department. OPD case number is 201700006388

Investigative Summary	On March 20, 2017, I was assigned Supervisor Inquiry 17-02 for investigation. The complaint was not specific to a particular officer, therefore, all officers that were on scene were notified of this complaint and served with notice of this investigation. On April 11, 2017, I made contact with the complainant, B/M, James Pleas, at the Marion County Jail. Mr. Pleas advised that he was arrested on January 9, 2017 and that after being booked in at the Marion County Jail, he learned that his Shield GPS device was missing. Mr. Pleas advised that he was told he would not be able to bond out of jail until he either produced the Shield GPS device or paid for it. According to Mr. Pleas, the cost was approximately $900. Mr. Pleas advised that he believes one of the officers removed the Shield GPS device from the pouch attached to his belt around his waist and clipped it onto their shirt. Mr. Pleas further stated that he believes that the officer that arrested him, Officer Freeman, threw the Shield GPS device away. Mr. Pleas stated that while he was being transported to the Marion County Jail, his personal cell phone was receiving phone calls and he told the officer that his phone was being called because the Shield GPS unit was not nearby. Mr. Pleas also stated that Officer Freeman made inappropriate racial comments towards him while transporting him to the Marion County Jail. Mr. Pleas advised that no one else was around and that no other officers made any comments towards. (Mr. Pleas did not know Officer Freeman by name but referred to him as the officer that arrested him and took him to jail.) Mr. Pleas stated that he continued to ask Officer Freeman where his Shield device was at because his phone kept ringing and he saw the screen on the phone and knew it was the "Shield" people calling him. Mr. Pleas advised that he spoke with his girlfriend, Ms. Sutton, and asked her to check his vehicle for the Shield GPS device. Mr. Please also had his family search the vehicle for the Shield device and they were unable to locate the device. On April 14, 2017, I interviewed B/F, Brenda Sutton. Ms. Sutton was at Mr. Pleas' residence on January 9, 2017. Ms. Sutton was not involved in the incident and was not outside when officers arrived and arrested Mr. Pleas. Ms. Sutton was notified of what was going on by K9 Officer Howie

and Agent Camacho. At Mr. Pleas' request, his car keys were left with Ms. Sutton.

Ms. Sutton advised that she was at Mr. Pleas' residence but was not aware of the incident that took place. Ms. Sutton advised she was an ex-girlfriend and at the time she was at the residence, she had a No Contact Order in place against Mr. Pleas for a pending case with the State Attorney's Office. Ms. Sutton advised that she was contacted by officers and notified that Mr. Pleas was placed under arrest and that he requested that officers give his vehicle keys to her. Ms. Sutton did not want Mr. Pleas to be in trouble for her being over his residence since she was the one that came to his home.

When asked, Ms. Sutton stated that she did look in Mr. Pleas' vehicle and his home for the Shield device and she was unable to locate the device.

On June 1, 2017, I interviewed Officer Vitale, who advised that he met with officers at a car wash to discuss going to Mr. Pleas' residence in an attempt to locate and arrest Mr. Pleas. Officer Vitale advised that while at the car wash, Mr. Pleas drove by their location and officers pursued him, where he eventually stopped at his residence. Officer Vitale advised he arrived on scene and officers already had Mr. Pleas in custody and he was told that he could leave the scene and he left. Officer Vitale did not observe the Shield device and he did not hear anyone making racial comments or speaking unprofessionally.

Ofc. Vitale's in-car camera was operating during this incident. His VieVu was inoperable at this time and it was documented as being inoperable.

On June 7, 2017, I interviewed Sgt. Eric Hooper. Sgt. Hooper advised that he was involved in the investigation process by contacting the Marion County Sheriff's Department and speaking with someone that provided him information as to the Shield GPS device that was monitoring Mr. Pleas. Sgt. Hooper could not provide the name of the person he spoke with regarding the Shield device. Sgt. Hooper indicated that officers met at a car wash near Mr. Pleas' residence due to the Shield device last indicating that Mr. Pleas was at his residence. Sgt. Hooper advised that he was not receiving real time locations, but delayed information as it related to Mr. Pleas' location. Sgt. Hooper advised that he was in at the location where Mr. Pleas was taken into custody, but he did not see anyone handle the Shield device. Sgt. Hooper further advised that he did not hear anyone make any racial statements or speak to Mr. Pleas unprofessionally.

I asked Sgt. Hooper about whether or not a Supervisor Review Form was done as a result of the Use of Force. Sgt. Hooper advised that he did not see a Use of Force and no one reported a Use of Force to him. Sgt. Hooper advised that after reviewing the videos provided, he would have asked specific questions of the officers to verify whether a Use of Force needed to be completed.

Sgt. Hooper did not have an in-car camera or VieVu to record this incident.

On June 8, 2017, I interviewed Agent Camacho. Agent Camacho advised that he became involved as officers were meeting at the car wash to form a plan. Agent Camacho advised that since he was deputized and was operating an unmarked vehicle, he was going to drive by Mr. Pleas' residence to see if his vehicle was at the house. Agent Camacho advised that while driving to Mr. Pleas' residence, Mr. Pleas drove by him. Agent Camacho advised he let other officers know and he turned his vehicle around in order to conduct a traffic stop. Agent Camacho advised he was behind Mr. Pleas' vehicle and K9 Officer Howie was behind him. Agent Camacho advised that Mr. Pleas did not immediately stop but did eventually come to a stop at Mr. Pleas' residence. Agent Camacho advised that officers did a felony traffic stop. Agent Camacho advised he did have his department issued firearm out and pointed at Mr. Pleas' vehicle and that K9 Officer Howie ordered Mr. Pleas out of the vehicle and gave Mr. Pleas orders. Agent Camacho advised he kept his firearm pointed at the vehicle as he did not know if there were any passengers in the vehicle and based on the information he had, the call was dispatched as a shots fired call. Once the vehicle was cleared, Agent Camacho went to where K9 Officer Howie was taking Mr. Pleas' into custody. Agent Camacho advised he did a pat down of the beanie on Mr. Pleas' head but did not search him. Agent Camacho advised that he picked up a wallet and a cell phone from the ground and placed them on the roof of Mr. Pleas' vehicle.

Agent Camacho further advised that he later picked the wallet and cell phone up off of the vehicle roof and gave them to Officer Freeman. Agent Camacho advised he did not observe the Shield GPS device. Agent Camacho further stated, when asked, that he did not hear any racial comments or unprofessional statements made by officers. Agent Camacho advised that he did not tell Sgt. Hooper that there was a Use of Force because Sgt. Hooper was there on scene and standing next to where officers took Mr. Pleas into custody. Agent Camacho advised that Sgt. Hooper did not contact him about a Use of Force.

Agent Camacho did not have an in-car camera or VieVu to record this incident.

On June 8, 2017, I interviewed K9 Officer Howie. K9 Officer Howie advised that officers met at a car wash to formulate a plan to go to Mr. Pleas' residence. K9 Officer Howie advised that Agent Camacho was going to drive by Mr. Pleas' residence since his vehicle was unmarked. K9 Officer Howie advised that Agent Camacho advised that Mr. Pleas drove by him and officers responded to do a traffic stop and take Mr. Pleas into custody. K9 Officer Howie advised that Agent Camacho was behind Mr. Pleas' vehicle and he was behind Agent Camacho's vehicle. K9 Officer Howie advised that once Mr. Pleas pulled into his residence, Mr. Pleas immediately go out of his vehicle and he ordered him to get on the ground. K9 Officer Howie advised that he did have his department issued firearm out but he never pointed it at the vehicle or Mr. Pleas as he wanted to have the ability to deploy his K9 if needed. K9 Officer Howie advised that he went to Mr. Pleas and attempted to place him into custody and Mr. Pleas tucked his right arm, so he put his body weight on Mr. Pleas and allowed himself to drop or fall on Mr. Pleas. K9 Officer Howie advised that Officer Freeman approached and placed his leg on Mr. Pleas' shoulders, to hold his upper body down on the ground while K9 Officer Howie gained control of Mr. Pleas' right arm and handcuffed him. K9 Officer Howie advised that he does not specifically remember patting Mr. Pleas down but it is his routine practice to conduct a search. When asked, K9 Officer Howie advised that he is sure that he removed Mr. Pleas' wallet and cell phone from his pockets. K9 Officer Howie advised he does remember Mr. Pleas commenting when he was searching Mr. Pleas, Mr. Pleas stating, "that's my Shield device." K9 Officer Howie does not specifically remember if the device was in the pouch on Mr. Pleas' waist and he does not remember ever seeing the Shield device.

K9 Officer Howie advised that he did not specifically say anything to Sgt. Hooper about a Use of Force because Sgt. Hooper was present when it happened and he did write it in his statement. I asked K9 Officer Howie about his statement, specifically that it states, "he fell" on Mr. Pleas. K9 Officer Howie advised that he dropped his body weight and fell on Mr. Pleas to pin his right arm under his body so he could gain control of Mr. Pleas' right arm. When asked if he fell accidentally on Mr. Pleas, he stated he did not fall accidentally but on purpose to gain control of him.

K9 Officer Howie had his in-car video camera and his VieVu recording during this incident.

On June 12, 2017, I interviewed Officer Freeman. Officer Freeman advised that he was investigating an Aggravated Stalking and Criminal Mischief case. Officer Freeman advised that Sgt. Hooper was receiving information from MCSO on the location of the Mr. Pleas based off of his Shield GPS device. Officer Freeman advised that the last location update they received was indicating that Mr. Pleas was at his residence. Officer Freeman advised that the updates were not live updates, but delayed updates. Officer Freeman advised that officers met at a car wash by Mr. Pleas' residence to develop a plan. Officer Freeman advised that Agent Camacho was going to drive by Mr. Pleas' residence since he was in an unmarked vehicle. Officer Freeman advised that Agent Camacho advised over the radio that Mr. Pleas passed him and he turned around to conduct a traffic stop. Officer Freeman advised that Agent Camacho and Mr. Pleas drove by the other officers at the car wash and they joined the pursuit. Officer Freeman advised Mr. Pleas did not pull over, but drove to his residence and then stopped. Officer Freeman advised that K9 Officer Howie and Agent Camacho were first on scene. Officer Freeman advised that K9 Officer Howie was attempting to secure Mr. Pleas in handcuffs but had his right arm under his body. Officer Freeman advised that he placed his leg on Mr. Pleas' shoulders to hold his upper body down so K9 Officer Howie could secure Mr. Pleas in handcuffs. Officer Freeman advised that there was conversation with Mr. Pleas as to the reason he knew Mr. Pleas was at the location of the crime and committed the crime was due to the Shield

device. Officer Freeman advised that he did not see the Shield device. Officer Freeman advised that he did not hear any racial comments or unprofessional comments made to Mr. Pleas.

Officer Freeman advised that Agent Camacho did bring a wallet and a cell phone to him and he is pretty sure he placed the items on the front passenger seat, as that is his normal routine. Officer Freeman advised that he does not specifically remember searching or patting Mr. Pleas down, however that too is part of his normal routine.

Officer Freeman does not recall seeing or removing the Shield GPS device and advised that if he did, it would have been placed on the front passenger seat with Mr. Pleas' wallet and cell phone.

Officer Freeman advised that Mr. Pleas was being loud and obnoxious during the drive to the Marion County Jail. Officer Freeman advised that Mr. Pleas kept asking about his cell phone but not his Shield GPS device and he advised the cell phone did not emit an audible ring while in the car. Officer Freeman advised that he did not make any racial comments towards Mr. Pleas and that Mr. Pleas is the only one that made derogatory comments.

Officer Freeman advised that his in-car camera has not been operable for about one year. Officer Freeman further advised that he did have his VieVu on and that he turned it off and on throughout the incident, including the drive to the Marion County Jail because of the statements that Mr. Pleas was making during the drive. Officer Freeman advised that he did not tag the VieVu footage with the case number as there was no evidentiary content on the VieVu. A search of the Coban system failed to locate a VieVu for Officer Freeman for January 9, 2017.

I spoke with Deputy Rodriguez, Property Clerk for Marion County Sheriff's Booking. Deputy Rodriguez provided me with a list of property that was turned in with Mr. Pleas when he was booked into the Marion County Jail. The property listed is: Beanie hat, belt, boots, ss card, debit card, FL Ebt card, FL DL, FL Global cash card, Berkley master card, TD bank visa, case, cell phone, check book, US coin, pants, socks, tank top, undergarments, wallet, and misc. contents.

I spoke with Detective Wright with the Marion County Sheriff's Department. Detective Wright is over the Shield Program. Detective Wright explained that when the Shield GPS device becomes separated from the ankle monitor, the Shield GPS device rings. Detective Wright advised it would activate at approximately 70 yards. Detective Wright provided me with a printout and a monitor recording for Mr. Pleas' activity for January 9, 2017. The Shield GPS device activated at 11:32 PM. The GPS indicates the device last registered in the area of his residence.

K9 Officer Howie's in-car camera stops recording at approximately 2323 hours and his VieVu stops recording at approximately 2320 hours. K9 Officer Howie was still on scene when these two cameras were shut off. Detective Wright indicated that the device would activate at approximately 70 yards and the device last shows on the map in the area of Mr. Pleas' residence.

Mr. Pleas stated that he saw his cell phone screen and knew it was the Shield people calling him. Based on where Officer Freeman placed the cell phone and Mr. Pleas' location in the back seat, I don't see how he could have seen the cell phone screen. Officer Freeman stated the cell phone did not ring.

Based on the above information, I believe that the Shield GPS device was last at Mr. Pleas' residence, vehicle, or outside the residence. After reviewing the video, at no time do I see an officer reaching and pulling the device out of the pouch and one would be able to see that on the video. Mr. Pleas indicated that one of the officers searching pulled the device from the pouch and placed it in his own pocket. This is not depicted on the videos.

I did not find clear and convincing evidence that Officer Freeman made any racial statements towards Mr. Pleas. Officer Freeman indicated that he did utilize his VieVu but I could not locate a recording for that day. I do know that we did lose some video, but unsure as to specific dates and times of the videos that were lost.

	There is question as to why a Supervisor Review Form was not completed. Sgt. Hooper was on scene. Based on the videos I reviewed, I believe a Supervisory Review Form should have been completed. All interviews were recorded and all videos were provided to the officers being interviewed. All information pertaining to this investigation is located on opd_shared/Supervisory Inquiry 17-02.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	X
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	X
Violation(s):	

Action Taken	

Signature	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 16 day of June, 2017

Investigating Officer

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

PG 1 OF 2

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
MARTINEZ	FELIX		3/16/80	HISP	M

Address:	Home Telephone No.:
255 MARION OAKS LANE,	(352) 209-1945

City:	State:	Zip:	Work Telephone No.:
OCALA	FL	34473	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
FERNANDEZ	JORGE		OFC.	H	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
ERIC HOOPER	SGT.		☐ Yes ☑ No

Additional Officers Involved:	Rank:	ID No.:
JOHNNIE ROBINSON	SGT.	
DAPHNE COLLINS	CT III	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
500 BLOCK SE 36TH AVE	01/09/17		

Reason for Contact:
TRAFFIC STOP

Remedy Sought:
COMPENSATION FOR INSURANCE DEDUCTIBLE $500

Statement of Complaint: (Use additional sheets if necessary):
MY HYUNDAI ELANTRA TOURING 2011 WAS STOLEN ON 1/3/17 - REPORTED TO MCSO - #17-00213 (DET. T. RODRIGUEZ). RECOVERED 1/11/17 BY MCSO - ACCIDENT IN CLEANING OUT CAR, I FOUND 2 CITATIONS ISSUED 1/9/17 TO DAVID LEE ANDERSON 1) SPEED SCHOOL ZONE 2) DWLSR !. I ASSUME PLATE WAS NOT CHECKED BY OFFICER - IF IT HAD, I WOULD NOT BE OUT $500 DEDUCTIBLE AND INS. OUT $4000 +. MCSO DET. RODRIGUEZ HAS CITATIONS AND BODY CAM VIDEO REGISTRATION IS IN WIFE'S NAME BUT I THINK THERE WAS SUFFICIENT REASON W/ 2 VIOLATIONS TO HAVE CHECKED FURTHER! → PG. 2

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 3/23/17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received	Related Case Number(s):	Complaint No.:
Lt. B. Howell	03/24/17	2017-6136/7447	

Attachments: (list):
NONE

Supervisor Remarks:
MEMO WRITTEN TO CHIEF GRAHAM FORWARDED THRU MAJ. FOLS PRIOR TO COMPLAINT BEING RECEIVED.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
[signature]	3/24/17		

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☑ Conduct Supervisory Inquiry (Assigned to [illegible]) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 3/27/17	
Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 3/23/17	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): FELIX MARTINEZ		Employee's Name (Last, First, MI.):

Continuation of Complaint:

ON 7/11/17 I WAS DRIVING TO LUNCH ON 17 ST/MARICAMP WHEN I SAW MY VEHICLE IN MEDIAN - W/ MCSO OFFICERS + EVIDENCE VAN. I STOPPED AND SAW THAT DRIVER HAD REAR ENDED A PICKUP TRUCK. OFFICER SAID DRIVER OF STOLEN VEHICLE RAN OFF. BUT LEFT H-S CELL PHONES, CD's. CLOTHES AND OTHER DEBRIS CAR SMELLED! I TOOK VIDEO OF SCENE. CAR TOWED AFTER RELEASE AND THATS WHEN I FOUND CITATIONS ON FLOOR ... I ALSO FOUND A N.J. ID CARD FOR FEMALE IN CAR. (SCANDIA I PENA - N.J. PROVISIONAL LIC # P 2492.69369.5787 I) NEITHER DRIVER ON BODY CAM VIDEO NOR ABOVE PERSON IS KNOWN TO ME AND HAD PERMISSION TO USE/ OCCUPY THE VEHICLE -

STATE FARM INS CLAIM # 59-9902-356 $406.69 + 420.17

RENTAL 294.20

DETAILING 164.00

COMPREHENSIVE DEDUCTIBLE $ 500

VEHICLE - GRAPHITE GREY 2011 HYUNDAI ELANTRA TOURING.

PLATE GBU001

REGISTRATION: LYDIA E. NAVARRO

255 MARION OAKS LANE

OCALA, FL 34473.

INSURED IN BOTH NAMES: FELIX MARTINEZ + LYDIA E. NAVARRO.

Complainant's Signature: [signature]

Date 3/23/17

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) FELIX MARTINEZ realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 23 day of MARCH, 2017.

By (Signature of Affiant) _____ FELIX MARTINEZ

Personally Known _____ or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department
Supervisory Inquiry

Number:

Complainant	Mr. Felix Martinez		Date Received	03/24/17
Address	255 Marion Oaks Lane		Time Received	1400
City/State	Ocala, Florida 34473		Received By	Lt. Brian Young
Telephone	Home: (352) 209-1945 Work:		Investigator	Lt. Brian Young

Incident Location	500 Block of SE 36th Ave
Violation Alleged	The accused officer performed a traffic stop on a stolen vehicle. Failing to recognize the vehicle was stolen, he issued the driver a criminal citation for DWLS, even though the driver had an out of county address. The vehicle was involved in a crash several days later. The Com Tech involved failed to properly read the results of the FCIC inquiry of the tag called in by the officer, and therefore did not advise the officer of the status of the vehicle. The Sergeant was made aware of this incident sometime near the end of January, 2017. It is unclear at this point if and to what extent the situation was addressed. 3.02 O. Rules of Conduct: 1. Unsatisfactory Actions shall include that which brings the Department into disrepute or reflects discredit upon the person as a member of the Department or that which impairs the operation or efficiency of the Department or member. This violation will be utilized only when no specific prohibited act or required behavior can be addressed for violation and falls within Level 2 of the Disciplinary Matrix 4.04 A. Traffic Enforcement 1. a. Person(s) who are arrested for misdemeanor traffic offenses shall be issued a Florida Uniform Traffic Citation and transported to the Marion County Jail, if; 4) the accused has no ties with the jurisdiction reasonably sufficient to ensure his or her appearance in court, or there is substantial risk that he or she will refuse to respond to the citation; or 7) the person has knowledge that their license is suspended, revoked or cancelled for Failure to Appear, Failure to Pay, Habitual traffic offender or DUI.

Accused Officer(s):
Officer Jorge Fernandez
Sgt. Johnnie Robinson
Comm. Tech III Daphne Collins

Summary of Complaint	Officer Fernandez performed a traffic stop on a car on 01/09/17. The car had been reported stolen to MCSO on 01/02/17 and had been entered as stolen. When Ofc. Fernandez called in the traffic stop, CT Collins entered the tag, which was queried in FCIC automatically. She failed to read the results completely and, therefore, failed to inform Officer Fernandez of the car's status. Officer Fernandez also ran the tag through FCIC, and he too failed to completely read the results of the query. The driver, who admittedly had a suspended license for failure to pay traffic fines, was issued a criminal citation and was not physically arrested. The driver had an ID card, which listed an address in Kissimmee, FL.

	On 01/11/17, the same car was involved in a crash where the driver fled on foot. The car's owner, Mr. Felix Martinez contends that if we (OPD) had not failed to recognize the car was stolen on 01/09/17, the crash might have been avoided. This situation was brought to the attention of Sgt. Robinson on or shortly after 01/25/17.

Investigative Summary	This inquiry was assigned to me on 03/27/17. At that time, I was aware that Sherry Gronlund had documented this incident in the employee folder of CT Collins, and as a result, I had not initially named Collins as one of the "accused" related to this investigation. On 03/30/17, I delivered notice of this investigation to Officer Fernandez, along with copies of the Garrity Warning and Law Officers Bill of Rights forms. On 03/31/17, I met with **Detective Tonya Rodriguez of MCSO** in my office, where I conducted a recorded interview with her. The following is a summary of that interview: Det. Rodriguez was assigned to investigate an auto theft that occurred in Marion Oaks on 01/02/17. On 01/11/17, she became aware that the vehicle had been recovered following a hit and run crash inside the City where the driver had fled on foot. The car was towed from the scene and the owner recovered it on or about 01/25/17. The victim discovered some items in his car that did not belong to him, including two citations written to a Dennis Lee Anderson. The victim delivered these citations to Det. Rodriguez at her office. The citations were written by Officer Fernandez on 01/09/17 for unlawful speed in a school zone and DWLS/R. Detective Rodriguez grew concerned that perhaps her agency erred by not entering the car into FCIC as stolen. She was able to verify that the car had been entered on the same day it was reported stolen. Det. Rodriguez called and spoke to Sgt. Hooper about the situation and inquired about getting a report and copy of the VieVu video from the traffic stop. He advised that he would forward her information and someone would call her back. She advised she never received a call back from any supervisor. She did speak to Officer Fernandez, who provided her a copy of the hit and run crash report and the video from the traffic stop, but they never discussed the traffic stop that she could recall. On 03/31/17, I met with **Sgt. Eric Hooper** and conducted a recorded interview with him. The following is a summary of that interview: On or about 01/25/17, Sgt. Hooper spoke to Det. Rodriguez by phone. Sgt. Hooper was not on duty at the time. She was asking about the traffic stop by Fernandez and was inquiring about obtaining video from the stop. Sgt. Hooper explained to her that he would forward her info to the Traffic Supervisor and that the Traffic Unit Sergeant would be in touch. Sgt. Hooper immediately called Sgt. Robinson, briefed him on the situation and gave Sgt. Robinson Det. Rodriguez's contact information. Sgt. Robinson told Hooper that he would call Det. Rodriguez back. Sgt. Hooper advised that he did not know whether or not Sgt. Robinson called her back. Sgt. Hooper was not involved in the situation any further until 03/17/17 when Mr. Martinez, the owner of the stolen car, showed up at OPD to complain. He met with Mr. Martinez, who was inquiring about the City paying his deductible, since we failed to recognize the car was stolen when we stopped it. Sgt. Hooper, being somewhat familiar with the situation, spoke to Sgt. Robinson. He explained the situation to Sgt. Robinson and inquired about what had been done to address the situation before, so as not to duplicate efforts. Sgt. Robinson said that he remembered the situation, that he had spoken to Officer Fernandez about the issue and there had been some misunderstanding or miscommunication. He was unsure about what Sgt. Robinson meant by that. He did say that Sgt. Robinson assured him that there would be no duplication of efforts. Sgt. Hooper then pulled copies of the citations and the CAD records from the stop and informed me of the issue.

On 03/31/17 after I spoke with Sgt. Hooper, I spoke to Captain Biondi. I was unsure if the expectation was to name Sgt. Robinson in the Inquiry or not at this point. Also, I advised him that since Ms. Gronlund had already addressed the issue with CT Collins, I was unsure if she should be named. He called back and told me that the expectation was that both would be listed as accused for the purpose of this inquiry. On 04/03/17, I gathered the appropriate forms and amended the first page of the inquiry form to reflect the change. Since I had already arranged to meet with Felix Martinez that afternoon, I kept that appointment and conducted that interview with him.

The following is a summary of the interview of **Felix Martinez**:
Mr. Martinez advised he reported his car stolen on 01/03/17. His car was recovered on 01/11/17 after it had been involved in a crash. When he recovered his car from the body shop, he discovered several items inside that were not his. Most notable among these were two citations issued by Officer Fernandez on 01/09/17 to a Dennis Lee Anderson who at the time had evidently been driving the car in question. Mr. Martinez does not know anyone by that name. He took the citations to Detective Rodriguez who later showed him photos from the traffic stop of the driver. He did not recognize him.

On 04/03/17, I met with Sgt. Robinson and gave him notice of this inquiry by providing him with the first page of the inquiry form, as well as copies of the Garrity Warning and the Law Officers Bill of Rights from. The following morning, I met with CT Collins and provided her with the same documents (except she got the non-sworn rights form).

On 04/05/17, I met with **Communications Supervisor Sherry Gronlund** and conducted a recorded interview with her. The following is a summary of that interview:
Ms. Gronlund stated that Officer Fernandez came to her office on 02/27/17 to discuss this case, as well as other issues regarding the Communications Center. She stated that he was upset about the dispatcher not notifying him about the status of the car while he was on scene. Officer Fernandez indicated that he felt this was an officer safety issue. At one point, Officer Fernandez became upset and said that he felt that members of the Communications Center didn't "give a shit" about the officers. She said that Sgt. Frank Zadnik was in her office at the time and heard what Officer Fernandez said. Ms. Gronlund advised that she immediately made it clear that this was not appreciated, especially the language he chose to use. From that point, he calmed down and they had a conversation about his concerns.

Ms. Gronlund stated that the hit response on the stolen car would have come up in bold, red font and that Collins is responsible for checking the "State Up" and recognizing the hit, even though there's no audible or other signal. She brought the issue up at her staff meeting the following morning and as a result, Kelly Andersen sent an Email to all of Communications reminding them of several things, among which was making sure they checked the "State up" and relayed wants and status info to the officers on scene in a timely manner. She also instructed that CT Collins be coached on the matter by K. Friberg. This "coaching" session was done and documented on 03/21/17.

Also on 04/05/17, I conducted an interview with **Sgt. Frank Zadnik**. He advised that he was in Sherry Gronlund's office on 02/27/17 when Officer Fernandez arrived to discuss the issue. (Sgt. Zadnik was there on other matters) Sgt. Zadnik advised that he heard the remark that Officer Fernandez made regarding the dispatchers not "giving a shit." Sgt. Zadnik stated that he felt that Ms. Gronlund handled the situation well on her own, and he didn't feel it was necessary for him to address it. His recollection was that the situation calmed down, and Ms. Gronlund and Officer Fernandez were still talking when he left the room.

On 04/05/17, I created an audio CD of the interviews conducted up to this point and gave the disc to Ms. Gronlund to give to CT Collins. I also delivered a disc to Sgt. Robinson.

Officer **Fernandez's BCS video** depicts the stop and Officer Fernandez approaching the driver after calling in the tag and vehicle description. He introduced himself to the driver, explained the reason for the stop and asked for the driver's license. The driver immediately tells Officer Fernandez he doesn't have a valid license. Officer Fernandez asked him if his license was suspended, and he replies that he never had a driver license, and admits that he has been arrested in the past for driving

without a license. Officer Fernandez tells the driver at that point that if the offense turns out to be a misdemeanor (fewer than three previous arrests for DWLS) he would write him a citation. Officer Fernandez goes back to his motorcycle and can be seen using his MDT. He eventually issues the driver two citations. Officer Rowe arrives as a back-up officer toward the end of the stop. Officer Fernandez can be heard telling the driver that he cannot drive the car, but is going to allow him to move the car out of the roadway and wait for a friend to respond to pick him up. The video ends before the car leaves the roadway.

On 04/10/17, I conducted a recorded interview with **Officer Scott Rowe**. He didn't have a great deal of recollection about the stop. He advised he arrived at the stop after Officer Fernandez requested a back-up officer. He was aware that Officer Fernandez issued the driver a citation for DWLS, but was unfamiliar with the details of the stop beyond that. Officer Rowe left the scene just as Officer Fernandez was breaking contact with the driver and the driver was walking back toward the car. Rather than making another audio disc, I emailed the audio interview of Officer Rowe to both CT Collins and Sgt. Robinson.

On 04/12/17, I met with and conducted a recorded interview with **CT Daphne Collins**. The following is a summary of that interview.

CT Collins was the dispatcher on duty at the time of Officer Fernandez's traffic stop. She took the traffic stop and entered it into the CAD. She stated that tags entered into the CAD are automatically run in FCIC. Any results are available in the "State Up," which is the display, but there is no audible or flashing signal alerting the dispatcher when a hit is obtained. She advised that they try to read through all of the results, but often, these results are delayed and sometimes they aren't able to read them all. While she doesn't remember this day specifically, she said that it is typically busy during the afternoons and this could explain why she missed the information. I emailed a copy of the audio interview to Sgt. Robinson for his review and arranged to meet him the next day.

On 04/13/17, I met with **Sgt. Johnnie Robinson** and conducted a recorded interview with him. He had no recollection of the event at the time or since, until being called by Sgt. Hooper after Mr. Martinez made the complaint on 03/17/17. He stated that he doesn't remember being called by Sgt. Hooper and being told about Detective Rodriguez wanting to be contacted. He said if he had received such a call, he would have called back or would have addressed it with the officer at the time.

With respect to Sgt. Hooper's assertion about Sgt. Robinson referring to some misunderstanding (see Sgt. Hooper's statement), Sgt. Robinson stated that he never said that and doesn't remember ever talking to Officer Fernandez about the matter.

A review of Sgt. Hooper's and Sgt. Robinson's **cellular phone statements** shows that Sgt. Hooper received a call from Detective Rodriguez on 01/25/17 at 1614 hours. (This would have been the same date that Mr. Martinez got his car back). At 1620 hours, Sgt. Hooper called Sgt. Robinson's cell number twice; once leaving a voicemail and a second time showing a 2-minute call. Sgt. Robinson's cell phone statement shows a 2-minute call from Sgt. Hooper at 1620 hours. Following that call, Sgt. Robinson has no activity on his phone for the remainder of 01/25/17. On 01/26/17, he calls various Department members, but doesn't appear to call Detective Rodriguez or Officer Fernandez.

On 04/14/17, I had Sgt. Hooper deliver a disc to Officer Fernandez containing the audio interviews conducted up to this point. On Monday, 04/17/17, I conducted a **recorded interview of Officer Fernandez.** The following in a summary of that interview:

Officer Fernandez stated that he pulled the car over and called in the tag. He is aware that the tag should automatically be searched in FCIC. He said he never received any indication from dispatch that the car was listed as stolen. He remembered the driver being a black male with dreads, and a female passenger. He remembered the driver saying that his license was not valid, but was unsure of the exact verbiage he used. He stated that he didn't ask the driver for a registration or proof of insurance, as it was not his habit at the time to do this on every stop. (It has since become his habit.)

	He didn't remember if the driver handed him an ID card or if he obtained his info from DAVID. In any event, the information on the citation he ended up issuing shows an address for the driver in Kissimmee, FL. Officer Fernandez ran the tag on his MDT in order to auto-populate the E-citation. He didn't scroll through the results, and also missed the fact that the car was listed as stolen. He said that there is no audible or flashing signal to indicate such a status when a "hit" is received. He didn't make any attempt to verify ownership of the vehicle. Officer Fernandez was asked about Dept. Policy regarding Criminal Citations for DWLS. He apparently was unaware, at the time of the stop that he was required to make a physical arrest for knowingly driving with a license suspended for failure to pay. (In this case, the driver also had an out-of-county address, which would be another disqualifier for issuing a criminal citation only). Ultimately, Officer Fernandez issued the driver two citations, one of which was criminal. He told the driver he couldn't drive and told him to move the car from the roadway. Officer Fernandez stated that he did not remember if he saw the driver move the car from the roadway, but he did not take any further steps to ensure the driver did not drive the car. Officer Fernandez heard no more about this case until just before Sgt. Hooper's transfer into the Special Operations Bureau (possibly late February). Sgt. Hooper told him that a car he had stopped had been stolen and was later involved in a crash. He said that he and Detective Rodriguez spoke over the phone, and he later gave a copy of the crash report and a copy of his BCS video from the traffic stop to Bobby Levay of MCSO, to be delivered to Det. Rodriguez. Detective Fernandez went to speak to Sherry Gronlund about problems with dispatch in general, this situation included. The issues included dispatchers not inputting information in the CAD properly (wrong or partial tags, wrong locations on traffic stops, etc). Without prompting from me, Officer Fernandez said that he told Sherry that a handful of her dispatchers "don't give a shit." He said that the two of them had a heated exchange. Officer Fernandez stated that these issues have been brought up numerous times and they are not being addressed. He stated that they talked for a while after the situation calmed down. He also said that Julie Pache was also present. Officer Fernandez stated that he heard no more about this incident until I served him with the notice of this inquiry.

Findings	On 01/09/17, Officer Fernandez stopped Mr. Martinez's car being driven by Dennis Lee Anderson, who was driving knowingly with a suspended DL (for failure to pay traffic fines) and who had an address in Kissimmee, FL. Officer Fernandez, never became aware of the car's stolen status, due to CT Daphne Collins not reading the FCIC results on the "State Up" display. Fernandez ran the tag, but didn't read the whole response either. He eventually issued Anderson citations for DWLS/R and Speeding and left the scene after Anderson told him he had a friend coming to drive him. Officer Fernandez later went to Sherry Gronlund's office and during a discussion, told her that (some of) her dispatchers "don't give a shit" about the officers [safety]. Ms. Gronlund found this offensive and a heated exchange ensued. Daphne Collins put the tag number into the CAD when Fernandez called in the traffic stop, but failed to read the "State Up" display, therefore, did not inform Fernandez of the car's status as stolen. According to Sherry Gronlund, Collins is responsible for checking the "State Up." She further stated that the results for the stolen car would have come up in bold red font, and that Collins should have caught it. Ms. Gronlund had CT Collins' supervisor address the issue with her during a coaching session prior to the commencement of this inquiry. When Det. Rodriguez was made aware of this traffic stop, she contacted Sgt. Hooper, who called Sgt. Robinson. While Sgt. Robinson stated he doesn't remember being notified of this situation at the time, he did say that if he had been notified he would have addressed the issue. Cell phone records show that Det. Rodriguez did call Sgt. Hooper and that Sgt. Hooper did immediately call Sgt. Robinson. Sgt. Robinson did not call anyone about this issue and never addressed it with Officer Fernandez.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Action Taken	

Signature	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 18th day of April, 2017

Investigating Officer

Law Enforcement Officer (Witness)

Ocala Police Department
Supervisory Inquiry

Number: SI 17-07

Complainant	Jimmie Smith	Date Received	08/10/2017
Address	7645 SW 17th Place	Time Received	1540
City/State	Ocala, Florida 34474	Received By	Capt. Biondi
Telephone	Home: (352) 843-4882 Work:	Investigator	Lt. Douglas

Incident Location	
Violation Alleged	3.02(O)(1) – Discipline - Unsatisfactory Actions shall include that which brings the Department into disrepute or reflects discredit upon the person as a member of the Department or that which impairs the operation or efficiency of the Department or member.

Accused Officer(s): Ryan Leggett

Summary of Complaint	Jimmie Smith was involved in a traffic crash documented under Ocala Police Department case 201700073653 by Officer Ryan Leggett. Initially the party determined to be at fault, Christian Monteiro, was not cited for the crash. Sgt. Chris Smith (no relation to complainant) reviewed the crash in its entirety and instructed Officer Leggett to issue Monterio a citation for Failure to Maintain Single Lane. Monteiro elected to take his case in front of Traffic Hearing Officer N. Chris Polak. Mr. Smith states that when he was in court awaiting the case to be heard, Hearing Officer Polak excused all the witnesses and advised the court that the case was dismissed per the officer's request. This is evidenced in the audio recording of the aforementioned hearing proceeding as well as in the administrative paperwork. According to his written complaint, Mr. Smith wants "to know why this charge was dismissed and who authorized the dismissal."

Investigative Summary	On 9/29/17 I interviewed Sgt. Chris Smith and Officer Leggett in reference to this Supervisory Inquiry. Sgt. Smith stated that he did in fact instruct Officer Leggett to issue a citation to the at fault party in the crash and did not instruct him to dismiss the citation. Officer Leggett confirmed this in his interview. Officer Leggett confirms that he in fact did dismiss the citation in this case. During the interview, Officer Leggett stated that his reason for dismissing the citation in this case was due to the fact that the independent witness in this case, Lisa Graves, not being present for the hearing. Officer Leggett also informed me during the interview that this was the second time that this case had been scheduled to be heard in front of the Traffic Hearing Officer. Officer Leggett stated that the first hearing was cancelled due to Lisa Graves not being present. Officer Leggett sated that the only witness that was present each time for the hearing was JM Motts who is a friend of Mr. Jimmie Smith. According to Officer Leggett, Motts had originally told him that she had not seen the crash occur when he interviewed her on the date that the crash occurred. Officer Leggett stated in his interview that he was not concerned for the consequences the at-fault party would have to face and the only reason he dismissed the case is that he didn't have an independent witness to testify in the case. The fact that the independent witness in this case was not present is confirmed in the third paragraph on page four of Mr. Jimmie Smith's written complaint letter in which he states that the parties present for the hearing in this case were JM Motts, Christian Monteiro and himself. At no point in Mr. Jimmie Smith's complaint does it state that the independent witness, Lisa Graves, was present for the hearing.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	

Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Action Taken	

Signature	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 29 day of SEPTEMBER, 2017

Investigating Officer

4972

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:

Address:	Home Telephone No.:

City:	State:	Zip:	Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:

Additional Officers Involved:	Rank:	ID No.:

Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered: ☐ Resolved by Supervisor (Explanation Attached) ☒ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

August 7, 2017

DOR: 4/17/2017 Complaint # 2017- 73653
Smith, Jimmie D. Employee: Leggett R.

I am a thirty year retiree from Ocala Fire Rescue. I have never filed a complaint against anyone, however, this incident is so far beyond any common sense and normal police behavior, that I feel it must be brought to the attention of Internal Affairs.
I went through the chain of command and contacted Sgt Smith with my original complaint. After the situation was not taken serious I contacted Chief G. Graham who I must say left me more confused with his statements than when I arrived.

On 4/17/2017 I was involved in an accident at 9:00 PM. I was leaving the parking lot of the Church of Christ church off of Maricamp RD. Approaching Maricamp I looked to my left and there were no lights or traffic coming from the west. I then looked to the right and way off in the distance two vehicles were west bound in the right lane. They were under the lights of the shopping center. I crossed the east bound lanes and turned left into the inside lane. I looked in my rear view mirror to check because I was going to move to the right lane. I saw lights in the lane I was in so I thought it was JM Motts who was following me out of the parking lot. I then turned my head to the right to check my blind spot in my dually truck. It was then I saw lights crossing from the right lane at a high rate of speed. I say that because I was moving at about forty to forty five miles per hour. The impact was so fast and hard that it lifted the back of my one ton dually truck into the median where I stopped in front of a sign.

Now with my work back ground I immediately got out to check for injuries. I did not see any vehicles due to the darkness. Then I heard someone calling out something. Looking in the direction of the voice I saw a vehicle across the traffic lanes and up in the edge of the woods. I went to check and found the driver sitting in his seat. I ask if he was hurt and he said he thought he was ok. The interior of the vehicle appeared to be pushed up close to him. I ask if he could get out and he said he didn't know. He did get out on his on.
JM Motts pulled in the median behind my truck and waited with us for the fire rescue and police departments to arrive. She was a witness to the accident.

Fire rescue thought I was stopped in the road on impact due to the amount of damage to both vehicles.

When OPD officer R Leggett arrived I told him Mrs. Motts was behind me and was a witness, I believed. He ask her something and then left to go talk to other witnesses. A few minutes later he came back and said, well I have two witnesses. One said you, pointing to Mr Monteiro, and another car was yelling back and forth and driving crazy. The other is just a phone number of some lady that saw someone pull out in front of you. I tried the number but no answer so I left a message for her to call me.
Mr Monteiro's wife was at the scene but not in the vehicle he was driving. She came later, but before Officer Leggett arrived.
He continued, if someone can verify that a vehicle pulled out in front of you then no one will get a ticket. As soon as he said that one of them said, don't worry we will contact her tonight. His response was well as long as someone can say they saw someone pull out in front of you.
That stuck in my mind because, with all the accidents I have been to I have never heard a law enforcement officer say something like that to the driver of an accident.
Officer Leggett ask me if I need a wrecker. I told him I would try to drive it home. Which I did.
The wrecker arrived and I left. I did not know that Officer Leggett never went back to talk with Mrs Motts.
Mr. Moneiro's vehicle was destroyed and was not drivable.
Mr Monteiro's insurance company called the next day and said they were accepting full responsibility for the accident.
Several days later I got a copy of the police report and saw that no charges were issued to Mr Monteiro. I did not understand why he wasn't being charged since he was obviously speeding and out of control of his vehicle. Unless he intentionally ran into the back of me and I don't think he did.

So I called Officer Leggett to find out why he wasn't being charged. He said he had a witness that saw someone pull out in front of Mr Monteiro so he would not be receiving a ticket. I told him I was not happy with that. He said well that's what the witness said and that's my investigation.
I said well you did a piss poor job of investigating. Then he said, "You need to be careful, I can change my report and say you pulled out in front of him and give you the ticket."

Mr Monteiro was charged with failure to maintain a proper lane, I believe. However the report was still incorrect and misleading. I requested a meeting with Chief Graham.

This meeting left me not quite understanding the role of the patrol division of the police department. I began by telling him about accident and the threat made by Officer Leggett. He looked at the report and said well, at least he was charge with something and his insurance will pay to fix your truck. Then Chief Graham said, the trouble is, it's not our job to investigate accidents. It's the insurance companies job. They are the ones making all the money. We just do a little to help them out. Now, what else can I do for you. To be honest I was shocked to hear him say that. But, he was right, Mr monteiro's insurance company paid to have my truck fixed and I thought everything was settled.

Then I get a subpoena from the State of Florida vs Christian Monteiro. On court day, JM Motts and Christian Monteiro and myself were in the court room and the judge called Monteiro's case. He then told us that the officer had dropped the charges against Mr Monteiro and we were dismissed.

I want to know why this charge was dismissed and who authorized the dismissal. In the end Officier Leggett was correct, he said Mr. Monteiro would not get a ticket for this accident.

I am enclosing pictures of the scene to help you understand the situation. Two vehicles traveling at the same speed would not do much if any damage to vehicles. My frame was bent in two places, my bed was shoved into my cab, my heavy duty trailer hitch was turned 90 degrees to the ground. His front tag was embedded two feet under my truck with steel wrapped around it. The speed limit was 45 MPH.

This statement is true and I am willing to take a polygraph.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	M.I.	DOB	Race	Sex
HERNANDEZ	Dagoberto		8-28-81	Hisp	M

Address	Home Telephone No.
	MOM 352-484-8526

City	State	Zip	Work Telephone No.
Ocala	FL	34473	

Employee Information

Last Name	First Name	M.I.	Title/Rank	Race	Sex
Messenger, Aaron	Messengers				

Supervisor (Name)	Rank	ID No.	Supervisor on Scene:
Sgt. Brewton			☐ Yes ☐ No

Additional Officers Involved	Rank	ID No.
R. Mangum, K. Bode		

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident
N. Magnolia 330 Sanction Roney	21	1	

Reason for Contact: Had a Stroke 2017CCCO15226

Remedy Sought: Justice.

Statement of Complaint: (Use additional sheets if necessary)

ABUSE MIS A Territe I'm Homeless N No where to leve AND I had a Seizure I I was disoriented I did Not Nic they was law IN For Invest He left my phone 2 Behind AND Took me to jail - AND Not Take me to the Hospital.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 2.3.17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Recived	Related Case Number(s)	Complaint No.
KEUNTJES	2-3-17	2017CCCO15226	CC 17-05

Attachments: (list)

Supervisor Remarks:

Supervisor (Signature/ID No.)	Date	Employee (Signature/ID No.)	Date
[signature] 521	2-14-17	[signature] 4965	2/14/17

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature)	Date
[signature]	2/16/17

Professional Standards (Signature)	Date Filed	I/A Number

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) HERNANDEZ DAGOBERTO realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 3 day of FEB, 20 17.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification ✓, Type of Identification ID

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: February 15, 2017

SUBJECT: CC 17-03

FROM: Mary Brewton, Sergeant

On 02-08-17 at approximately 2300 hrs., I met with Dagoberto Hernandez at Super 8, 3924 West SR 40, in reference to CC 17-03. Mr. Hernandez's primary complaint was being arrested. After explaining to Mr. Hernandez why he was arrested he stated he understood and apologized for his actions. His secondary complaint was he wanted assistance in locating his cell phone.

Mr. Hernandez advised he knew who had his cell phone; Officer Messenger assisted him in attempting to locate that individual, but was unsuccessful. Mr. Hernandez advised he would re-contact us if he needed further assistance.

I found no violations of Department Policies.

MCB/

Attachments: Complaint Reception Record
Affirmation Form
Printed Case (#201700015226)
PC Affidavit

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Lopez	Lamont	K	[illegible]	Caucasian	M
Address: 1200 SE 17th Blvd			Home Telephone No.: [illegible]		
City: Ocala	State: FL	Zip: 34471	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
1200 E 17th Ave	Thursday	5/14/15	1351

Reason for Contact: Calling PO to Called Police Because I crossed at him

Remedy Sought: To slow down driving // Remedy - Does obtain TPO

Statement of Complaint: (Use additional sheets if necessary):

Police cars intentionally violate officer until Police
cars & ppl will Email & MP working officers unable to
Show me my property consisting of my WAIST, watch
glasses sunglasses, and necklace with a tattoo Medallion
no Rolex & Hallmark & Ziplock bags that I took
from the Patrol Boat. If there is a voice Recorded
Thank you I will Report the calls & Non-Emergency
Numbers during the Incident on the Weekdays of [illegible] Dept

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature]

Date: 5/15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
			15-17-004

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed:	I/A Number:

Page 2

AUG.2,2016

Lopes, Lawrence,R.

DEAR SGT. MICHAEL SOMMER I AM ASKING YOU TO PLEASE INVESTIGATE THIS CASE IF YOU CAN FOR I AM BEING PUNISHED AND LOOSING MY FAMILLY DUE TO AN OFFICER WALSH'S LACK OF RESPECT FOR PEOPL AN THE JUSTICE SYSTEM AN LAW HE IS SWORN TO UP-HOLD. this incidend is the precusor of my familly's demise.

MR. Sommer on June 4,2015 **officer Walsh** knocked on my door of 3230se 10th ave. and ask me to step outside, and instead of asking me for my I.D. and mail to prove I live thear he arrested me for **trespassing on my own property.** In which they droped befor I even made it to court. Mmmm.

The problem hear sir is , if you observe the interior police car video you will see that officer **walsh collected my property** that consisted of a gold necklace gold watch gold rings and my wallet an sunglasses . this all was in the ziplok bag he held up to me when I was in the back seat of the police car. The point of this story sir is when I was transferred to the ambulance due to my chest pains of the **FALSE ARREST,** officer **Walsh dumped my property** Aprox. in the nexted trailer park to mine because a nurse that lives thear brought my wallet to my house the nexted day, as I found out when I called my feance' **TINA** Collins from marion county jail. She informed me of the women in the **nurse uniform returning my wallet.** Also note I was **booked** into M.C.J. with **No property.** Mr walsh also do to his insecurity an sensitivity , **lied** on the police **police report** to get back at me by saying he saw bite marks on Emt Goodman. Thear are no videos or picks of me biteing or bite marks; all lies. The video in ambulance will prove that also!!i wrote Chief Paule Nevels to obtaine that video also. And question Emt Goodman on why Goodman wood tourcher me whith using A catheter in a ambulance on a chest pain patient. Unsanitary an unnessasary.

Please investigate this atrocity ,for **officer walsh is a lier** , all because I called him some fat names ,an the EMT said "this nigger aint having chest pains as I was being put in ambulance so I called her fat names too, so she put a catheter in me and pulled it in an out many times in the ambulance to shut me up. I was very angry for being falsly arrested sir . There was a female SWAT officer that was present during the arrest, and Colonel was at my residence.

PS . and tina Collins was refurring to a different incident than this one when she told you it was solely to my actions to my subsequent arrest for offenses against her. **NOTHING in** this case was againt her she had shit confused , you see she is bi-poler, an manic depresent for your info, and she drinks **Every** day, so her memory is vayge to say the least,pertaining to your prior phone call with tina Collins. Thanks for your imput though, Or sarcasm whatever it was , drama I call it .lets keep it professional officer Sommer Less personal please, thank you.

Lawrence R. Lopes 8/2/16

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) LAWRENCE K. LOPES JR realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 3rd day of August, 2016.

By (Signature of Affiant) _____

Personally Known Y, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

DEBBIE HICKS
MY COMMISSION # FF 196486
EXPIRES: February 5, 2019
Bonded Thru Notary Public Underwriters

OPD-934 (12/09)

MEMORANDUM

TO: Mike Balken, Major

DATE: February 24th, 2017

SUBJECT: CC17-04 - Lopes Complaint

FROM: M. K. Sommer Jr., Sergeant
Ocala Police Department

This complaint stems from the arrest of Mr. Lawrence Lopes on June 4th, 2015 under OPD Case 201500102208 for the offenses of Trespass and Battery of a LEO/Firefighter/EMT. Mr. Lopes contends he was falsely arrested as he lived at the residence where he was arrested, Officer Compton lied in the police report, and that Officer Compton threw his property away. The complaint was initially received by this office on July 27th, 2016.

The complaint was initially received as a letter sent to MCSO that was then forwarded to this office. I wrote Mr. Lopes and sent him a complaint form which was returned in early August. I was unable to speak to Mr. Lopes, save one short phone conversation, as he was being held in a mental health facility due to competency issues in his criminal cases and could not routinely talk on the phone or have visitors. He was told to contact this office when he was returned to the Marion County Jail. He did so in September, but not until a grievance had been filed that precluded any investigation in the case due to personnel involved in this case. By the time I was cleared to begin the investigation the week of February 13th, 2017 more than 180 days had elapsed which would not have allowed any formal disciplinary actions against the officers involved, should any allegations have been proven.

On June 4th, 2015, Officers Walsh and Compton responded to a suspicious person call at Shadow Oaks Mobile Home Park. Their response ultimately led to the arrest of Mr. Lopes for trespass at this point. During the fact finding for this complaint, I learned that Officer Walsh was told and relayed to Officer Compton that Mr. Lopes was in a trailer he was not supposed to be inside of. Officers Walsh and Compton relied upon the information they were given, much of it by the purported renter of the home, Tina Collins. I spoke to Ms. Collins who confirmed she told Officer Walsh that Mr. Lopes was not supposed to be there as he was causing problems in the park, but did not tell her he resided there currently. Therefore, the officers acted in good faith based on the information at hand. Mr. Lopes stated both Ms. Collins did not state what she told Officer Walsh and that nothing she said should be believed because she was mad at him that day and is an alcoholic and addict. I learned the trespass charge was later dropped even though the assigned Assistant State Attorney stated probable cause for the charge existed. This decision was due to Ms. Collins' refusal to assist the SAO in the prosecution of this case and a previous domestic battery charge where Mr. Lopes was arrested for battering her.

The domestic battery arrest took place on May 11th, 2015 at the same location. On May 12th, 2015, Mr. Lopes was assigned bond conditions that were in affect on June 4th, 2015 and lasted until the case was closed on July 20th, 2015. It is therefore the finding of this investigator, that although the trespass investigation may have had faults, been conducted in a less than stellar manner, and certainly lacked for well thought out documentation, which should have included a statement written by Officer Walsh, the end result would have been the same since Lopes was not permitted to be in the home on June 4th, 2015 without being in violation of the bond conditions. Mr. Lopes contends he never signed the bond conditions and they were dropped prior to June 4th, 2015. An extensive review which included contacting the State Attorney's Office and research of the Clerk of Courts file

Bal 02/02/17

revealed this was not the case. If anything, the way the investigation was handled worked to the benefit of Mr. Lopes as he was charged with a bondable offense that was dropped rather than one without a bond. Ironically, the State Attorney's Office never caught the officers' mistake either and Mr. Lopes faced no consequences for the bond condition violation.

Post arrest on June 4th, 2015, Mr. Lopes was transported to the hospital due to a complaint of chest pains. In the course of transport, he attempted to bite one of the ambulance crew leaving a red mark on her arm, but did not break the skin. Mr. Lopes contends this was also a lie by the EMT, but photographs and later deposition testimony by the victim confirmed something did happen. This was also verified with the current prosecutor for the case as it is still in litigation.

Mr. Lopes stated that during his arrest, he was relieved of personal property (wallet, jewelry, watch, sunglasses) by Officer Compton. Mr. Lopes admitted he was very rude during the arrest which he said led to his belief Officer Compton threw his property away. He stated the proof of this allegation was the fact a person returned his wallet the next day. Ms. Collins said the wallet was returned to her daughter by an unknown person the day after Lopes was arrested. The wallet was supposedly found on the ground somewhere. Ms. Collins stated that Mr. Lopes was acting erratically during the time frame of this incident and was using alcohol and drugs and disappearing at odd times for hours. She said he was also not taking medicine for a mental health issue. She could shed no light on what he may have had in his possession that day. Mr. Lopes believes all of the handling of his property would have been caught on camera. At the time this complaint was received, I attempted to locate any video from vehicle or body camera systems and was unsuccessful. It appears that one or both officers did not activate their video, did not mark it for preserving as evidence, or did not have an issued body camera at the time. Due to the way previous administrators in MIS were handling the issuance of equipment, there is no way to tell if either officer actually had a body camera on that date. A State Attorney's request for evidence on June 18th, 2015 lists the response to wanting any audio/video recordings as "none". Also complicating the location of any video had it been recorded was that the complaint wasn't filed until nearly fourteen months later and any video on a server would have been purged. Ultimately, one would have to assume the issue would result in a "he said/she said" outcome and Mr. Lopes' assertions could not be proven.

Given the time lapse, obvious explanations for many of the allegations made by Mr. Lopes, and the "good faith" actions of the officers responding to this incident, it is this investigators opinion that this complaint be closed as unfounded. Mr. Lopes has been made aware of this recommendation and while trying to explain the reasons behind the finding to him, he would alter his facts and accused this investigator of inventing "drama" to protect the officers. He also accused this officer of delaying the investigation due to the grievance so that I could cover up any wrong doing so the officers wouldn't be in trouble. Mr. Lopes was advised to take his case to trial if he wished to contest the charges he still faced and to feel free to pursue civil litigation if that was his desire.

Should you require any further assistance, please contact me at your convenience.

MS/ms
Attachments:
1. CC17-04 File

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Address:		Home Telephone No.:			
City:	State:	Zip:	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Brady	Brennan				
Supervisor (Name):	Rank:	ID No.:	Supervisor on Scene: ☐ Yes ☐ No		
Sgt. Robinson					
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

954-802-2974

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature:

Date: Dec 12 2016

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
S.F. M. Wilson	12/12/16	2016002508	CC17-05

Attachments: (list): Various

Supervisor Remarks:

I RECEIVED THIS COMPLAINT ON 1/4/17, I ATTEMPTED TO CONTACT MR. ARTHUR VIA TELEPHONE ON 1/4, 1/6, 1/9 & 1/10/17 AND LEFT A MESSAGE VIA TELEPHONE EACH TIME WITH NO RESPONSE. I MADE CONTACT WITH MR. ARTHUR ON 1/12/17 @ 11:00 AM @ THE OPD WITH HE WAS THERE ON A SEPERATE OCCASION. AN APPOINTMENT WAS SCHEDULED FOR 1/18/17 @ 10:00 AM. MR. ARTHUR ARRIVED @ OPD ON 1/18/17 AND I MADE CONTACT WITH HIM AN ATTEMPTED TO INTERVIEW

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
	1/18/17		

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)

☐ Conduct Supervisory Inquiry (Assigned to _____)

☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 3/7/17	
Professional Standards (Signature):	Date Filed: 3/7/17	I/A Number:

GREGORY ARTHUR

P. O. BOX 770044

OCALA, FL 34477

Subject: COMPLAINT AGAINST OFC GRADY (badge 3302) FOR RACIAL PROFILING, HARASSMENT DUE TO RACE, BADGERING OF CIVILIAN, MISAPPROPIATE CONDUCT, THREAT UNDER THE COLOR OF LAW (RACIAL INJUSTICE/INEQUALITY/PREJUDICIAL ENFORCEMENT) REPORT #201600250806

To: Internal Investigation Department

Per the subject, I am providing your office with a formal complaint of misappropriate conduct due to racial prejudice/ motives in regards towards me on the 12/9/16 , initiating at about 0835..

Facts

-On the said date, I was a victim of a rear collision..

-I exit my vehicle and walked to the rear of the vehicle to view damages..

-Several seconds later the person who caused the damage exit his vehicle, and **then told me he was leaving**; at which point I retrieved my cell and hurried to the rear of his vehicle and took a pic of his license plate, along pics of his vehicle as he attempted to put the vehicle in reverse. He again exit his vehicle and *offered me $20 for damages. Upon my refusal, he then offered $50*, of which, I again refused.

- I, returned to my vehicle and called 911..As I was searching for the vehicles documents I noticed the assailant approaching the said damages with a cloth in hand..

-Again, I called 911 and reported that the assailant was *wiping the evidence away and fussing with the bumper as I was speaking to her..*

-I exit the vehicle and informed the assailant not to touch the said vehicle again, I then returned to the inner vehicle.

-The officer arrived and had us moved the vehicles to a nearby parking lot.he gathered my documents.

- The officer initiated his conversation with the assailant, at which time seemed a little cordial to me, as if they were lovers, or *members of the same klandestine organization.*

- upon approaching me I noticed the officer removing an object from his body wear and holding it up to my direction as he approached (about 15 steps out) of which seemed out of place to me.. Upon reaching the said vehicle he began taking pictures while questioning me of the damages.I provided the

answers to the best of my ability; as it is not my vehicle. The officer then began challenging my best answers, and then attempted to tell me that he wasn't going to file report.

-Again, I called 911 and requested a *non-white officer be sent to the scene*, there was a pause by the operator, she returned and told me that **no non white officer was available**, due to the officer's actions and badgering,

Basis of Complaints

-Why was my personal pics taken, especially as I was the victim..It is my opinion that no pics were taken of the white driver..If there was I DEMAND A COPY FOR VERIFICATION..

-The officer admitted that he did not question the white driver of the following;

a. did he remove and tamper with evidence (right side bumper)

1. I possess pics of evidence prior to removal, and possibly video of the act. When informed of the possession of evidence that the white driver removed the marks; your officer shrugged his shoulders and stated *that he didn't care* (3x). **NEGLIGENCE**

2. I possess pics of bumper after removal of evidence; with the wipe away marks.

b. did he attempt to leave the scene of the accident.

c. did he even caused the accident, from what I gather from his stance.. however, he saw fit to question me..

d.did he issue the assailant a citation; wreckless driving, inappropriate following distance, etc..Whereas, I can't help but assumed as I would have been the receiver of such had I was the cause of the collision:based upon the officer's conduct..

.The officer had no *justification or authority* for stating that the *damages was of no value*..

I, am intentionally not leaving a contact number as I prefer all contact be documented.

Arthur, Gregory

12/9/16

NOTE: conspiracy to fraud

Cc: copy provided to State Farm

NOTE: I desire charges brought against the assailant for tampering evidence..

GREGORY ARTHUR

P. O. BOX 770044

OCALA, FL 34477

Case # 201600250806

Subject:ADDENDUM; COMPLAINT AGAINST OFC GRADY (badge 3302) FOR RACIAL PROFILING, HARASSMENT DUE TO RACE, BADGERING OF CIVILIAN, MISAPPROPIATE CONDUCT, THREAT UNDER THE COLOR OF LAW (RACIAL INJUSTICE/INEQUALITY/PREJUDICIAL ENFORCEMENT) REPORT #201600250806 FALSIFICATION OF OFFICIAL DOCUMENTS Intent and with Malice

To: Internal Investigation Department; OFFICER IN CHARGE (DIRECTLY)

Per the subject, In addition to my original provided complaint letter delivered earlier today, I am demanding the following:

1. I m requesting a copy of the transcript to all 3 emergency 911 calls made pertaining to this matter.
2. I demand a copy of the officer's incident report;(unreleased as stated by the desk officer [copy available at 12/12/16, 11:30 am]) from which the desk officer read,"the actual accident had occurred."

Furtherance, I demand at minimum that the assailant of the incident be charged; tampering and removing evidence, obstruction of justice, and/or interfering with an officer's duty. The same as you would have charged non white..

Arthur, Gregory

12/12/16

Car Guys Collision Repair - Ocala East

"Who's Your Car Guy?"
1511 SW 18th Ave, Ocala, FL 34471
Phone: (352) 236-5915
FAX: (352) 236-5942

Workfile ID: 533da860

Preliminary Estimate 3 Day Repair

Customer: ARTHUR, GREGORY

Written By: Denise Govern

Insured:	ARTHUR, GREGORY	Policy #:		Claim #:	
Type of Loss:		Date of Loss:		Days to Repair:	0
Point of Impact:	06 Rear				

Owner:
ARTHUR, GREGORY
PO BOX 770044
OCALA, FL 38411
(804) 802-2974 Business

Inspection Location:
Car Guys Collision Repair - Ocala East
1511 SW 18th Ave
Ocala, FL 34471
Repair Facility
(352) 236-5915 Business

Insurance Company:
CUSTOMER PAY

VEHICLE

2007 FORD Taurus SE (Fleet) 4D SED 6-3.0L Gasoline SMPI SILVER

VIN:	1FAHP53U77A138929	Interior Color:		Mileage In:	Vehicle Out:
License:		Exterior Color:	SILVER	Mileage Out:	
State:		Production Date:		Condition:	Job #:

TRANSMISSION
Automatic Transmission
Overdrive
POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
DECOR
Dual Mirrors
Body Side Moldings
Tinted Glass
Console/Storage
CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
Message Center
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
Cassette
SAFETY
Drivers Side Air Bag
Passenger Air Bag
Front Side Impact Air Bags
SEATS
Cloth Seats
WHEELS
Wheel Covers
PAINT
Clear Coat Paint
OTHER
Power Trunk/Gate Release

Customer: ARTHUR, GREGORY

2007 FORD Taurus SE (Fleet) 4D SED 6-3.0L Gasoline SMPI SILVER

Line		Oper	Description	Part Number	Qty	Extended Price $	Labor	Paint
1	#		VISIBLE DAMAGE ESTIMATE		1			
			Note: MAY REQUIRE ADDITIONAL PARTS & LABOR					
2	**REAR LAMPS**							
3		R&I	RT Tail lamp assy				0.4	
4		R&I	LT Tail lamp assy				0.4	
5	**REAR BUMPER**							
6			O/H bumper assy				2.0	
7		Repl	Bumper cover	4F1Z17K835CA	1	389.95	Incl.	3.0
8			Add for Clear Coat					1.2
9		Repl	RT Bumper cover support	3F1Z17D948AA	1	24.23	Incl.	
10	#		HAZARDOUS WASTE		1	5.00		
11	#		COLOR TINT		1			0.5
				SUBTOTALS		**419.18**	**2.8**	**4.7**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				419.18
Body Labor	2.8 hrs	@	$ 44.00 /hr	123.20
Paint Labor	4.7 hrs	@	$ 44.00 /hr	206.80
Paint Supplies	4.7 hrs	@	$ 28.00 /hr	131.60
Subtotal				880.78
Sales Tax	$ 880.78	@	6.0000 %	52.85
Grand Total				**933.63**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**933.63**

Customer: ARTHUR, GREGORY

2007 FORD Taurus SE (Fleet) 4D SED 6-3.0L Gasoline SMPI SILVER

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD, OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AN APPLICATION CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE(FLORIDA STATUTES TITLE XLVI, CHAPTER 817.234). FAILURE TO USE THE INSURANCE PROCEEDS IN ACCORDANCE WITH THE SECURITY AGREEMENT,IF ANY, COULD BE A VIOLATION OF S. 812.014,-FLORIDA STATUTES. IF YOU HAVE ANY QUESTIONS, CONTACT YOUR LENDING INSTITUTION. IF A CHARGE FOR SHOP SUPPLIES OR HAZARDOUS OR OTHER WASTE REMOVAL IS INCLUDED ON THIS ESTIMATE, PLEASE NOTE THE FOLLOWING: "THIS CHARGE REPRESENTS COSTS AND PROFITS TO THE MOTOR VEHICLE REPAIR FACILITY FOR MISCELLANEOUS SHOP SUPPLIES OR WASTE DISPOSAL." IF A CHARGE FOR NEW TIRES OR A NEW OR REMANUFACTURED LEAD-ACID BATTERY IS INCLUDED ON THIS ESTIMATE, PLEASE NOTE THE FOLLOWING: A $1.00 FEE FOR EACH NEW MOTOR VEHICLE TIRE SOLD AT RETAIL IS IMPOSED ON ANY PERSON ENGAGING IN THE BUSINESS OF MAKING RETAIL SALES OF NEW MOTOR VEHICLE TIRES WITHIN THE STATE OF FLORIDA. FLORIDA STATUTES TITLE XXIX CHAPTER 403.718. A $1.50 FEE FOR EACH NEW OR REMANUFACTURED LEAD-ACID BATTERY SOLD AT RETAIL IS IMPOSED ON ANY PERSON ENGAGING IN THE BUSINESS OF MAKING RETAIL SALES OF NEW OR REMANUFACTURED LEAD-ACID BATTERIES WITHIN THE STATE OF FLORIDA. FLORIDA STATUTES TITLE XXIX 403.7185.

☐ **Law Enforcement (Optional) Short Form Report**
☐ **Driver Report of Traffic Crash**
☐ **Driver Exchange of Information**

REPORTING AGENCY CASE NUMBER			
201600250806			
DATE OF CRASH	TIME OF CRASH	AM	PM
12/09/2016	08:10	☒	☐

COUNTY OF CRASH	PLACE OR CITY OF CRASH	Check if Within City Limits	CRASH OCCURRED ON STREET, ROAD, HIGHWAY
MARION	OCALA	☒	SR 40

AT STREET ADDRESS #	OR FEET MILES	N	S	E	W	AT / FROM INTERSECTION WITH STREET, ROAD, HIGHWAY	OR FROM MILEPOST#
	50.00	☐	☐	☒	☐	WATULA AVE	

12/09/16
352629 8121
16:37
Rock 10
DAVE 2
claim #
599 N 12933 N
855-341-8184
↓
Team #
Alex is [illegible]

SECTION ONE ☒ VEHICLE ☐ NON-MOTORIST (optional) EMAIL OWNER/DRIVER

YEAR	MAKE (Chevy, Ford, Etc.)	VEHICLE BODY TYPE (Car, Truck, Etc.)	VEHICLE LICENSE NUMBER	STATE	VIN
2000	FORD		BYKN43	FL	1FDNF20F7YEC40015

INSURANCE COMPANY	INSURANCE POLICY NUMBER
STATE FARM	840 2919 D31 59

NAME OF VEHICLE OWNER	(Check if same as Driver)	CURRENT ADDRESS (Number and Street)	CITY AND STATE		ZIP CODE
BOBBY MARDELL CHANEY	☐	PO BOX 560413	ROCKLEDGE	FL	32956

NAME OF DRIVER (Take From Driver License)/ NON-MOTORIST	CURRENT ADDRESS (Number and Street)	CITY AND STATE		ZIP CODE
BOBBY MARDELL CHANEY	PO BOX 560413	ROCKLEDGE	FL	32956 N

DRIVER LICENSE NUMBER	STATE	DL TYPE	DRIVER/NONMOTORIST HOME PHONE	DRIVER/NONMOTORIST BUSINESS PHONE	SEX	DATE OF BIRTH
C500073514300	FL		3214088094 (Area Code)	( ) (Area Code)	MALE	11/30/1951

NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE
NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE

SECTION TWO ☒ VEHICLE ☐ NON-MOTORIST (optional) EMAIL OWNER/DRIVER

YEAR	MAKE (Chevy, Ford, Etc.)	VEHICLE BODY TYPE (Car, Truck, Etc.)	VEHICLE LICENSE NUMBER	STATE	VIN
2007	FORD		HGRM49	FL	1FAHP53U77A138929

INSURANCE COMPANY	INSURANCE POLICY NUMBER
GOVERNMENT EMPLOYEES INSURANCE COMPAN	2006017020

NAME OF VEHICLE OWNER	(Check if same as Driver)	CURRENT ADDRESS (Number and Street)	CITY AND STATE		ZIP CODE
SAMANTHA MONTS	☐	1964 SE 110TH ST	OCALA	FL	34480

NAME OF DRIVER (Take From Driver License)/NON-MOTORIST	CURRENT ADDRESS (Number and Street)	CITY AND STATE		ZIP CODE
GREGORY ARTHUR	19 COURTHOUSE PCT	GAINESVILLE	FL	32601 N

DRIVER LICENSE NUMBER	STATE	DL TYPE	DRIVER/NONMOTORIST HOME PHONE	DRIVER/NONMOTORIST BUSINESS PHONE	SEX	DATE OF BIRTH
A636280623490	FL		9048022974 (Area Code)	( ) (Area Code)	MALE	09/29/1962

NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE
NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE

SECTION THREE ☐ VEHICLE ☐ NON-MOTORIST (optional) EMAIL OWNER/DRIVER

YEAR	MAKE (Chevy, Ford, Etc.)	VEHICLE BODY TYPE (Car, Truck, Etc.)	VEHICLE LICENSE NUMBER	STATE	VIN

INSURANCE COMPANY	INSURANCE POLICY NUMBER

NAME OF VEHICLE OWNER	(Check if same as Driver)	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE
	☐			

NAME OF DRIVER (Take From Driver License)/ NON-MOTORIST	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE

DRIVER LICENSE NUMBER	STATE	DL TYPE	DRIVER/NONMOTORIST HOME PHONE	DRIVER/NONMOTORIST BUSINESS PHONE	SEX	DATE OF BIRTH
			( ) (Area Code)	( ) (Area Code)		

NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE
NAME OF PASSENGER	CURRENT ADDRESS (Number and Street)	CITY AND STATE	ZIP CODE

WITNESSES

NAME	CURRENT ADDRESS(Number and Street)	CITY AND STATE	ZIP CODE

INVESTIGATOR

INVESTIGATOR RANK & SIGNATURE	ID/BADGE NUMBER	DEPARTMENT	FHP	SO	PD	OTHER
OFC GRADY	3302	OCALA	☐	☐	☒	☐

SIGNATURE OF DRIVER MAKING REPORT _____ DATE _____

HSMV 90011S

☐ YOU MUST READ AND COMPLY WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM
☐ NO FURTHER ACTION REQUIRED BY YOU; REPORT COMPLETED BY LAW ENFORCEMENT AGENCY

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: 3/1/17

FROM: Johnnie Robinson, Sergeant
Ocala Police Department

SUBJECT: Gregory Arthur Complaint

I received the Gregory Arthur complaint on 01/4/17; I attempted to contact Mr. Arthur via telephone on 1/4/, 1/6, 1/9 and 1/10/17 and left messages via telephone each time yielding no responses.

On 1/12/17 at 11:00 AM, I made contact with Mr. Arthur while he was at the Department on a separate occasion. An appointment was set with him for 1/18/17 at 10:00 Am at the Ocala Police Department.

Mr. Arthur arrived on 1/18/17 and I met him in the lobby to conduct an interview with him. Mr. Arthur while in the lobby advised me that he had not received the information he requested from the Police department. I then advised him of the correct procedure to obtain the requested information.

Mr. Arthur at that point became argumentive and irate towards me and stated I was just like the rest of them and that he did not want to talk to me anymore and stormed out of the building. This incident was witnessed by Sgt. Cynthia Barnes, Officer Rhonda Grice and Ms. Gwen in records. Mr. Arthur appeared unapproachable, unreasonable and unwilling to communicate with reason or diplomacy to resolve this issue.

I did review the video of the incident in question. I did not observe any policy violations or any unprofessional acts on Officer Grady's handling of the incident. I mailed a copy of the documents and CD's that Mr. Arthur requested via records and have not heard from him since. That concluded my involvement in this complaint.

JR/jr

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Casey Ann Rua realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 13 day of Dec, 20 16.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification X, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
ROBINSON	LAUREL	C	7-16-73	B	F

Address:	Home Telephone No.:
446 NE 48th AVE	352-851-7584

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34470	352-732-1944

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
LISSINGER				W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
FORT KING MIDDLE	FRIDAY	4-28-17	

Reason for Contact:
INAPPROPRIATE QUESTIONING OF MY UNDERAGED SON

Remedy Sought:
A FULL AND PROPER INVESTIGATION BE DONE ON BOTH SIDES.

Statement of Complaint: (Use additional sheets if necessary):

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
DR. Douglas Russell	05-01-2017		

Attachments: (list):
WRITTEN NARRATIVE AND ATTACHMENTS FROM

Supervisor Remarks:
I have spoken to Mr + Mrs. Robinson numerous times since the allegations. Off. Wissinger never interviewed their child... only the Asst. Principal. On 5/23/17 Mr. Robinson advised they wish to drop all complaints against Off. Wissinger.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
Sgt. Christopher M. Spicer #52	5/23/17	C30s	5.23.17

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 5/25/17

Professional Standards (Signature):	Date Filed:	I/A Number:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) SORETTE M ROBINSON realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 1 day of May, 20 17.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification X, Type of Identification FL DL R152 793 76 512 0

Official Notary Signature of Law Enforcement Officer: _____ 0254

Original of this form is to be attached to Inquiry/Complaint Form.

THE REPORT MY SON GAVE ARE THAT A SCHOOL MATE (FEMALE) DARED ANOTHER SCHOOL MATE (FEMALE) TOUCH HIS PRIVATE PART, WHICH SHE DID, HE THEN THOUGHT TO HIMSELF THAT SINCE SHE TOUCHED HIM IT WOULDN'T BE ANY PROBLEM IF HE TOUCHED HER BACK, WHICH HE DID. TO WHICH THE FEMALE SAID TO HIM "WHAT DID YOU DO THAT FOR?" AND HE SAID TO HER BECAUSE YOU TOUCHED ME. SHE THEN EXPLAINED THAT SHE ONLY TOUCHED HIM BECAUSE HER FRIEND DARED HER TO.

SO THEY WENT ABOUT THEIR NORMAL PERIODS, AT THE ENDING OF FIFTH PERIOD, MRS. BOUTS TOLD HIM TO GO DOWN TO STUDENT SERVICES. HE SAID HE SAT AT STUDENT SERVICES FOR SOME MINUTES BEFORE ASST. PRINCIPAL WOODS AND OFFICER WISSINGER CAME. THEY THEN PUT HIM IN MR. WOODS OFFICE TO WHICH OFFICER WISSINGER AND MR. WOODS PROCEEDED TO RECORD AND QUESTION HIM. MR WOODS SAID TO HIM, "SEE THAT CAMERA, ANYTHING YOU SAY WILL BE RECORDED.

AFTER THE QUESTIONING THEY PUT HIM IN A STAFF OFFICE WHERE HE STAYED FOR ABOUT ONE AND A HALF HOUR, THEN THEY CAME AND TOOK HIM TO MR. SMALLRIDGE OFFICE

X Assist Supervisor Robinson
X Sign

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
SMITH	GEROME		06/14/1956	BLACK	MALE

Address:	Home Telephone No.:
2604 NE 22ND COURT	299-1829

City:	State:	Zip:	Work Telephone No.:
OCALA	FL		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
MCGEHEE	DAVID		OFFICER	WHITE	MALE

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
CYNTHIA BARNES	SERGEANT		☐ Yes ☑ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
400 BLOCK OF S. MAGNOLIA AVENUE	SATURDAY	July 1, 2017	1630 HOURS

Reason for Contact:
TRAFFIC STOP

Remedy Sought:
UNKNOWN

Statement of Complaint: (Use additional sheets if necessary):

MR. GEROME SMITH IS ALLEGING THAT OFFICER MCGEHEE EFFECTED AN IMPROPER TRAFFIC STOP (NO PROBABLE CAUSE); SEE HANDWRITTEN STATEMENT (SIGNED/DATED 7/12/2017).

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
LOUIS BIONDI, CAPTAIN	07/17/2017	201700126432	CC 17-10

Attachments: (list):
CAD REPORT; IN-CAR VIDEO; BODY-CAM VIDEO

Supervisor Remarks:
SEE TYPED STATEMENT OF SERGEANT CYNTHIA BARNES AND MEMORANDUM AUTHORED BY CAPTAIN LOUIS BIONDI.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 7/26/17

Professional Standards (Signature):	Date Filed:	I/A Number:

2017001264320

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 7-1-17	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Smith, Jerome		Employee's Name (Last, First, MI.): McGehee, David

Continuation of Complaint:

We were at the intersection of SR40 and South Magnolia. We were sitting behind an OPD vehicle, which we know now it was Officer McGhee, D. The light turned green, but the vehicle did not move. I blew my horn and the vehicle began to move. I believe at that time the officer was sleep. I went around the officer. The officer pulled up beside me and motioned for me let My window down. At that time he asked "Did you blow at me". I told him "I did, because he didn't Move". He told me that it's against the law to blow your horn at a police officer. I said whatever, rolled my window up and left. The officer then got behind me and conducted a traffic Stop. When the officer walked towards My vehicle I told him he didn't have any probable cause to Stop Me. The officer said "he did, because I was not finished talking to you. I replied "this is not a legal Stop. I then asked the officer for his commanding officer. I requested this three times for his commanding officer/Supervisor. No one never showed up, so we left. But, I did give him my cell number to have the commanding officer to call me. The commanding officer called about 30 minutes later. I believe that I should have seen the Commanding officer when I first asked for that person in the beginning. The officer Stop was illegal not efficient. I did nothing wrong by blowing my horn to get the officer to Move. I am requesting an internal affairs investigation of the officers conduct in this Matter.

Complainant's Signature: Jerome Smith Date: 7/12/17

PHONE # 352-299-1829.

Contact log reference: 201700126432
Name: Mr. Gerome Smith
Phone: 352-299-1829
Incident: Traffic Stop – Verbal Warning Issued

On 7/1/2017, I received a phone call from Officer McGehee advising of Mr. Smith requesting contact via phone when I finished my call in reference to a traffic stop.

I made contact with Mr. Jerome Smith via phone. Mr. Smith explained to me in detail what took place and he knows the traffic stop was not legal. Mr. Smith advised he was aware we were busy and he appreciated me calling him. Mr. Smith advised the Officer had no right to stop him and he did not have to listen to the officer try to explain why he stopped him. I again attempted to explain F.F.S. 316.271 of which Mr. Smith advised he knew the statue and would be taking his compliant all the way to F.D.L.E.

7/14 @ 16:34 hrs & 19:00 hrs – I viewed the video and made contact with Mr. Smith by phone. Once again, Mr. Smith explained the incident in detail. I again explained according to F.F.S. 316.271 there was nothing wrong with the traffic stop. Mr. Smith again explained the officer was stopped longer than necessary and the bicyclist was very far away. He advised he is an educated man and knows the stop was not legal. He advised he already filed the complaint and did not need to view the body cam. He requested a copy of the body cam and a report from Internal Affairs because there was no probable cause for the traffic stop. Mr. Smith advised he would pick up the body cam when it is available.

7/19 @ 19:25 hrs & 20:53 contact was attempted and a message was left on voicemail.

7/20 @ 20:21 hrs contact was attempted and a message was left on voicemail.

7/24 @ 16:17 hrs I made contact with Mr. Smith via phone. Mr. Smith inquired on the finding. Mr. Smith was informed again according to F.S.S. 326.271 Officer McGehee did have P.C. to make a traffic stop. I further explained the traffic light being green did not constitute an emergency or danger that would call for an audible warning.

7/24 @ 20:04 – contact made at Mr. Smith's request. This time he advised he has a smart phone and he needed a written copy of the infraction he supposed to have committed. I printed a copy and left it at the Records Section.

Sgt. C. L. Barnes

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: July 26, 2017

SUBJECT: Gerome Smith Complaint

FROM: Louis Biondi, Captain
Ocala Police Department

Upon review of the Complaint Reception Record, which includes Mr. Smith's handwritten statement; Sergeant Barnes' typed statement; CAD Report for Incident 201700126432; copy of Florida State Statute 316.271 – Horns and Warning Devices; video footage from Officer McGehee's Body/In-Car Cameras and; having spoken directly with Mr. Gerome Smith, Sergeant Cynthia Barnes, and Officer David McGehee, I offer you my findings:

- Officer McGehee had a legitimate and verifiable reason to hesitate at the traffic signal/intersection—passing bicyclist.

- Once through the intersection, and while stopped side by side at the next traffic signal, Officer McGehee attempted to converse with Mr. Smith and explain the proper use of a vehicle's horn. Mr. Smith then, by his own admission, stated, "whatever" and drove away from the traffic signal / conversation.

- Due to the violation of Florida State Statute 316.271 – *The driver of a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with his or her horn* – Officer McGehee effected a traffic stop, offered explanation for the traffic stop, issued Mr. Smith a verbal warning, documented Mr. Smith's contact information for Sergeant Barnes' use, and released Mr. Smith from the traffic stop.

Contrary to Mr. Smith's beliefs/complaint, Officer McGehee did have probable cause to effect a safe and legal traffic stop, temporarily detaining Mr. Smith, as governed by Florida State Statute 316.271. Furthermore, Officer McGehee's actions are well documented and he is not in violation of any agency policy set forth in the Ocala Police Department Directives. That said, I am of the opinion that Mr. Smith's complaint lacks merit and does not rise to the level that would necessitate further investigation.

As an aside, it should be noted that the Ocala Police Department recognizes that the order of events could have been handled differently, but resulted in the same outcome—a verbal warning. I discussed the incident, in its entirety, with Officer McGehee; we spoke about objectivity, emotional involvement in police work, and different avenues of approach when handling similar situations in the future. Officer McGehee was extremely demure, receptive, and understanding of the Agency's stance, and recognized the need for improvement.

LB
Attachments (6)
Gerome Smith Complaint Reception Record
Sergeant Cynthia Barnes' Statement
CAD Report – 201700126432
Florida State Statute 316.271
Vehicle 744 In-Car Camera (CD)
Officer McGehee's Body-Camera (CD)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Hernandez	Jessica	L	5/21/87	H	F

Address:	Home Telephone No.:
345 NE 7th Ave.	352 361-9078.

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34470	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
JOE DICKE	WILLIAM		OFC	W	M

Supervisor (Name)	Rank:	ID No.:	Supervisor on Scene:
Eric Hooper	SGT	S-5	☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
411 Police Station	10/23/17	10/23/17	1:21 PM

Reason for Contact: Officer Joe Dicke

Remedy Sought: Actions Taken upon officer.

Statement of Complaint: (Use additional sheets if necessary): Complaint is being done due to on the morning of June 23 at officer W. Joe Dicke was not directing traffic appropriately when he pulled me over in a parking area at [illegible] on the corner of SW 19th and [illegible] Silver Springs Blvd. I was not provided any due to the [illegible] of other people. So I pulled over on the corner of the Wells Fargo Bank and Silver Springs Blvd when officer Joe Dicke pulled

NOTE: By signing this document you are swearing and attesting that; under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature]

Date: 2/18/17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
SGT. Brewton		17-[illegible]	17-[illegible]

Attachments: (list): Memo of Findings, narrative of report

Supervisor Remarks: Please see attached memo.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
[signature] S-5	8/22/17		

Action Ordered: ☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 9-6-17
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 8/18/17.	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI): Hernandez, Jessica L	Employee's Name (Last, First, MI): Officer W. Joe Dickie	

Continuation of Complaint:

When he pulled me over he was extremely rude asking me person questions like if I was drinking they had nothing to do with why he was pulling me over for. The officer had also given me a sobriety testing which I had passed and also had lied on my police report multiple times about the testings he had given me, which I had told him now I had balance issues because of previous car accidents but had witness that seen I passed all of my sobriety testings. He was extremely rude and aggressive. When he did the arrest he also did not read me my Miranda Rights he made it seem as part of the sobriety testing and placed on hand behind my back then placed me in hand cuffs. Then I asked him could one of my two witnesses take my vehicle home and he said no, also my witness called my sister who was 5 min away, and asked if she could take my car home he said no. The officer Joe Dickie got my car impounded. I breath under the limit. When I got to the jail I was also harassed again by another 2 officer with another sobriety testing I never refused any urine testing I have health issues that I have had prior to this incident and have records before and after incident.

Complainant's Signature: Jessica Hernandez

Date: 8/18/17.

MEMORANDUM

TO: Greg Graham, Chief

DATE: August 22, 2017

FROM: Eric Hooper, Sergeant

SUBJECT: Resolution to CC 17-12
OPD case # 201700120675

I was assigned this citizen complaint on August 22nd, 2017. After reviewing the complaint made against Officer Joedicke by Ms. Jessica Bermudez, I reviewed Officer Joedicke's report and viewed the in-car video camera recording, from June 23rd, 2017 at 0119 hours.

Ms. Bermudez's statement that Officer Joedicke was not driving in the opposite direction but rather following behind her is not accurate. Officer Joedicke's report indicates that he was traveling Eastbound and observed her speeding, while she was traveling Westbound. He conducted a U-turn and caught back up to the vehicle.

Ms. Bermudez indicates that Officer Joedicke was rude and asked questions relating to her employment. The video shows that while Officer Joedicke did not engage in casual conversation with Ms. Bermudez, he was firm but in no way, was he rude to her. He asked Ms. Bermudez what she did for a living, as he does with all drivers that he encounters that are to be given Field Sobriety Exercises, as many times their job functions indicate whether there may be complications to performing the exercises.

Ms. Bermudez stated that she "passed" her "sobriety testing", however Officer Joedicke's report, as well as the video indicates possible impairment. Ms. Bermudez was upset that one of her friends could not drive her vehicle and instead it was towed. When she asked Officer Joedicke if one of her friends could take her vehicle, his response was "no". While he could have provided her an explanation, indicating that our policy does not allow him that discretion, his answer was again firm but not rude.

Once at the jail, Ms. Bermudez was asked to provide a urine sample. Ms. Bermudez failed to provide one, indicating that she did not have to go. This resulted in a refusal. Ms. Bermudez claims that she did not refuse but rather didn't have to urinate. As Officer Joedicke completed his paperwork, he observed Ms. Bermudez walking from the bathroom, where she had just urinated.

I find that Ms. Bermudez's complaints against Officer Joedicke have no merit and that her complaints about her sobriety at the time of her arrest would be an issue to discuss with her attorney. I will notify Ms. Bermudez by phone, of my findings.

Attachments (3)

1) Complaint Reception Record (CC 17-12)
2) Complaint Reception Record Narrative (CC 17-12)
3) Case narrative for 201700120675

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Prosser	Ronald	E	08-11-52	W	M

Address:	Home Telephone No.:
3921 SW 51st Ter	Cell 352-497-7257
City: Ocala State: FL Zip: 34474	Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Knoblauch	Richard		ofc	W	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
J. Robinson	SGT	516	☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
M. Chatten	ofc	903B
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
3921 SW 51st Ter Ocala, FL 34474	~~Sunday~~ Monday	08-21-17	11am - 2pm

Reason for Contact: Domestic Violence Call

Remedy Sought: I Sought to get in my SUV that's handicap accessable for my wheelchair, I

Statement of Complaint: (Use additional sheets if necessary)

I was threatened to be taken to jail with my attacker by officer Knoblauch for an unknown reason, after this was told to me I then said fine lets all go to jail because I know I will get bail at this time Officer Knoblauch then turned toward me with an attitude and proceeded to walk in my direction to go behind and restrain me while saying that I'm the only one going to jail. At this time I just looked at him and asked him what makes me being the victim in this domestic abuse I did not get a good of even

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: Ronald Prosser	Date: 8-22-17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
M. Dresso	8/22/17	2017001160784	

Attachments: (list):

Supervisor Remarks: COMPLAINANT STATED THAT HE IS SEEKING FOR THE OFFICER TO BE SPOKEN TO AND REPRIMANDED.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
3495	8/22/17		

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 10-9-17	
Professional Standards (Signature):	Date Filed: 10-9-17	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 8-22-17	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Fasser, Ronald C		Employee's Name (Last, First, MI.): Knoblach, Richard

Continuation of Complaint:

Moderate anger as to why I would be the one going. After this I was still telling the officer I wanted to have in my statement and was told no, that my attacker is. The officer also had said well "since your going to be here by yourself you can clean. The whole time officer Knoblauch was there he had an attitude toward me like I was the offender and not the victim. Officer Knoblauch when he initially showed up for the call he did not go and find the victim "Ronald Fasser" that made the call. Instead he approached and spoke to my assistant and held judgement toward me. Was not appreciative of his handling of the whole situation.

Complainant's Signature: Ronald Fasser

Date: 05-22-17

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

ATTACHMENT

On 9/27/17, I spoke with Mr. Prosser in reference to this complaint. I asked him what remedy was he seeking regarding his complaint. Mr. Prosser stated he only wanted officer Knobloch spoken to on how to talk to citizens during his investigations. He stated he felt officer Knobloch's demeanor was rather abrasive towards him. I advised him that I had reviewed the video of the incident and that I had spoken to officer Knobloch about this incident and he understood. Mr. Prosser stated great and that was the only remedy he was seeking and was very satified with that and thanked me. Mr.Prosser seeks no further action.

As Typed by: Sgt. Johnnie Robinson

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Ronald Conroy Prosser realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 22 day of August, 20 17.

By (Signature of Affiant) Ronald C Prosser P626723822910

Personally Known ____, or Produced Identification ✓, Type of Identification FLDL

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
WALSER	BRANDON	S	1983	W	M

Address:	Home Telephone No.:
5046 SW 40TH PL	(919) 609-3032

City:	State:	Zip:	Work Telephone No.:
OCALA	FL	34474	(352) 732-3396

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
MOOREHEAD				W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
			☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
MITCHELL		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
1100 BLOCK SE 31ST ST	TUESDAY ~~3 MAY 2016~~	3 MAY 2016	

Reason for Contact:

Remedy Sought: INVESTIGATION (IA)

Statement of Complaint: (Use additional sheets if necessary):

ON THE NIGHT OF TUESDAY 3 MAY 2016 I WAS INVOLVED IN A SINGULAR VEHICLE ACCIDENT AT THE ABOVE NOTED LOCATION. MOOREHEAD ARRIVED, ADMINISTERED HIS CONCERNS DO ANYTHING WITHOUT A WITNESS, PROCEEDED TO CONDUCT A FIELD SOBRIETY TEST, THEN REQUEST A BREATH SAMPLE AFTER MANY "FAILED" ATTEMPTS TO GET HIS INTOXILYZER TO GET A READING HE FINALLY DECIDED A READING HAD BEEN MADE. THAN MY UNDERSTANDING MOOREHEAD BOTCHED SEVERAL OTHER DUI ARRESTS THAT WENT. THIS HAS COST ME MY JOB

NOTE: By signing this document you are swearing and attesting that, *under penalty of law, the information contained herein is true and accurate*	Complainant Signature:	Date: 23 NOV 2016

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:
G. L. UPTAGRAFT	2016000931154	

Attachments: (list): AFFIRMATION FORM

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date: 10/25/17	Employee (Signature/ID No.):	Date:

Action Ordered: ☐ Resolved by Supervisor (Explanation Attached) ☐ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) BRANDON S. WALKER realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 75.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before ~~me~~ this 23 day of OCTOBER, 2017.

By (Signature of Affiant) [signature]

Personally Known ____, or Produced Identification ✓, Type of Identification MILITARY ID CARD

Official Notary Signature of Law Enforcement Officer: [signature] 516

Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12-09)

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: October 23rd, 2017

FROM: G. L. Uptagraft, Sergeant

SUBJECT: Citizen Complaint

On 10/23/17, I was working as the lobby supervisor when I made contact with Mr. Brandon Walser. Mr. Walser was in possession of a completed citizen complaint form and affirmation form, and I accepted these forms at his request. I did not engage him in lengthy dialogue about this matter, but I generally learned that his complaint centered around his May 2016 arrest by Officer D. Moorehead.

Following Mr. Walser's departure, I noted that the online records of the Marion County Jail did not indicate any arrest record for Mr. Walser. Furthermore, an in-house search of the information provided by Mr. Walser returned a CIS case (201600093154) which was devoid of information. I then made contact with the OPD Records Section and learned that the case in question had been ordered expunged. As such, a court order would be required to obtain any records pertaining to this case, including Officer Moorehead's video footage of the incident.

Captain Biondi made telephone contact with Mr. Walser, who confirmed that the case in question had, in fact, been expunged. Mr. Walser further volunteered that he had filed the Citizen Complaint as a civil attorney had informed him that filing such was "the first step to a civil lawsuit."

Due to the expungement of the records associated with this case, I do not feel that any type of internal investigation of Mr. Walser's complaint is possible at this time.

GLU/glu

Attachment: Written complaint of Brandon Walser and associated affirmation form

MEMORANDUM

TO:	Rodney Smith, Deputy Chief	DATE:	November 30, 2017
FROM:	Carmen Sirolli, Captain	SUBJECT:	Lt. Robert Douglas

On 11/28/2017, I received a complaint from Major Balken, involving Lt. Robert Douglas' actions in the field. The complaint outlined by Darrell Jackson, a resident at 1948 NW 1 Avenue claims that Lt. Douglas has a personal vendetta against him and made threats to him and against his landlord, later known to be Janice Gaskins of 2030 NE 58 Street, Ocala, Florida.

On 11/28/2017, I had an opportunity to speak with Mr. Jackson as to his complaint. Unfortunately, while I was on the phone with Mr. Jackson he interrupted me on several occasions, as I tried to explain the circumstances which brought Lt. Douglas to his neighborhood. Mr. Jackson claimed that Lt. Douglas called his landlady, threatening her if she didn't evict Mr. Jackson and accused him of selling drugs out of the house. He claimed, we needed to do our job by patrolling his street more and leaving him alone, prior to hanging up on me. I found no past history between Lt. Douglas and Mr. Jackson that should indicate or sustain an allegation of having a "personal vendetta."

On 11/28/2017, I spoke to Ms. Gaskin on the phone and she was upset with Mr. Jackson and all of the problems he brought to the neighborhood. She claims she has received several complaints from the neighbors over the drugs and the garbage thrown onto the streets. She said, she has spoken to Mr. Jackson about these problems, but he doesn't seem to care or take blame for anything. Ms. Gaskins asked if we had any proof to Mr. Jackson selling from the house, If so, she would evict Mr. Jackson right away. I explained to Ms. Gaskins that we had nothing which would prove Mr. Jackson himself was dealing in any drugs, but there were indications of drug sales at that location.

When Lt. Douglas questioned Ms. Gaskin about the people hanging in front of the house, Ms. Gaskin said, to run them off and if we have any problem with her tenant over it, call her. As for the accusation of Lt. Douglas threatening Ms. Gaskins or telling her that her tenant was selling drugs, Mr. Jackson is not being truthful. Ms. Gaskin stated, Lt. Douglas was very professional with her at all times. Ms Jackson said if her tenant is caught selling drugs at the house, arrest him and he'll be evicted soon afterwards.

Ms. Jackson said she will be by OPD soon to sign a no trespassing notification, authorizing the Ocala Police Department to run off anyone loitering on her property.

After speaking to all parties involve, I find no grounds of wrong doing concerning Lt. Douglas.

CJS/cjs

12/05/17

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Address:			Home Telephone No.:		
City:	State:	Zip:	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary).

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:

Attachments: (list)

Supervisor Remarks: SEE memo attached

Supervisor (Signature/ID No.):	Date: 11/30/07	Employee (Signature/ID No.):	Date:

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached)

☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____)

☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature:	Date:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Darrell Jackson realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 27 day of November, 20 17.

By (Signature of Affiant) [redacted]

Personally Known ___, or Produced Identification ✓, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer:
Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Gonzalez Oberchea	Maria	I	02/06/1967	Hispanic	F

Address:	Home Telephone No.:
5101 SW 60th St Rd #405	(352) 619-7362

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34474	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hernandez	Manuel				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
		5554	☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Cooper, MaryJo		5051
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
5101 SW 60th St Rd #405	Wednesday	12/06/2017	20:45 Aprox.

Reason for Contact: Domestic violence

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I called 911 asking for help because my husband was being verbally abusive towards me, and it's been like that for several months now. While I was talking to 911, he was making fun of me, stating that I could call whoever I wanted, because no one would do anything to him, and that has happened before when I tried to call 911, because the abuse is on a daily basis. That night I finally had the courage to do it even though he wrote for me. His insults, the way he diminished me, how he would say me was enough...

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Ofc. Rossi	12/8/17	201700234206	

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
T. Zadnik #3701	12/8/17		

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached) MW 12/8/17 ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
	12/19/17

Professional Standards (Signature):	Date Filed:	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

... He was yelling and throwing drawers and stuff. He was also drinking when I called 911. When officer Hernandez got to the place, he talked to me for a minute or less. Then he went inside the house and found Enrique J. Alaya drinking on his couch full of cynicism. Officer Hernandez and Cooper went inside the house and closed the door, leaving us outside. They talked to Enrique for several minutes and when they finally got out of the house, it looked like they already had a verdict. Hernandez came out saying that what was happening were regular couple / married issues and money issues, and that Enrique would issue a divorce. I told him that it wasn't a regular problem, it's abuse, emotional, verbal and even psychological and financial abuse. After that, he asked me why I didn't get a divorce or why I didn't go back to my country while he didn't even know what my status was, because he didn't take the time to HEAR me, I was trying to tell him that I'm constantly threatened at my house because of Enrique but Hernandez wouldn't really pay attention to me, he would only excuse himself and say that he couldn't do anything. But before I moved here, I was told about my rights, and they talked about abuse. I told the officer about my depression, I wanted to show him where I'm sleeping and he just refused to do it. Both officers looked bothered and bored, like they didn't care and they wanted to leave. He would just tell me that I'm a grown woman and that I had to look up for myself. I told the officer how Enrique said that he wanted me to be dead, and his response was "You know how many people wants me to be dead too". When I told him that Enrique kicked me out of the room, his answer was "Enrique is saying that you left the room by yourself", and it was devastating because I realized how one-sided he was. Before he left I asked him his last name and his ID because I felt helpless, I gave up, I felt frustrated. I decided to the OPD them to express how I felt and unfair everything was. Officer Morales and Sergeant Smith took care of me, they really heard me and offered me help referring me to Mrs. Dennis and referring me to legal aid.

Complainant's Signature: [signature]

Date: 12/07/2017

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) MARIA J. GONZALEZ CHECHEA realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 8th day of December, 20 17.

By (Signature of Affiant) (X) _____

Personally Known _____, or Produced Identification ✓, Type of Identification US Employee Authorized Card

Official Notary Signature of Law Enforcement Officer _____ M Ross #4964

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: December 21, 2017

FROM: T.C. Smith, Sergeant TCS

SUBJECT: Hernandez Complaint

On Wednesday, December 6, 2017 at approximately 1955 hours, Officers Hernandez and Stinehour responded to 5101 SW 60th Street Road, Apt. #405 (Highlands of Heathbrook) regarding a domestic disturbance. During the investigation, Officer Hernandez determined no crime had been committed, only repeated arguments which have been escalating. The complainant, Mrs. Maria Gonzales, was not happy with Officer Hernandez's service and responded to the Ocala Police Department to make a complaint.

Mrs. Gonzales explained the situation as Officer Morales translated. Mrs. Gonzales relayed the same version of events to us as was relayed to Officer Hernandez; there was no crime committed during the verbal altercation. Mrs. Gonzales main complaint was Officer Hernandez did not do anything for her or listen to her about the situation. Officer Hernandez spent approximately 26 minutes speaking with Mrs. Gonzales about the situation. I do not believe Officer Hernandez did anything wrong during his contact with Mrs. Gonzales

I did not observe any issues with Officer Hernandez's handling of the situation. I went a step further and contacted Donna Guinn, via e-mail, to see if there were any other resources to help her get out of the situation. Many officers do not realize that Mrs. Guinn is a great resource for these types of situations. In my opinion, any complaint regarding the situation was resolved that night. In summary, Officer Hernandez remained courteous and professional during the entire contact with Mrs. Gonzalez.

Attachments (5):

Copy of Hernandez BCS
Email to Donna Guinn
Emails with Sgt. Zadnik
Copy of Complaint Reception Record
Calls for Service Log
OPD Affirmation Form

TCS/tcs

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
BEARDEN	Stanley		2/16/64	NA	M

Address:	Home Telephone No.:
P.O. Box 771492	352-817-3944

City:	State:	Zip:	Work Telephone No.:
OCALA	FL	34477	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
J FERNANDEZ 2743	J				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
		2743	☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Yes / Unknown		
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
SW 80th Ave	Ocala	8-11-17	15:17

Reason for Contact: Complaint / Traffic Stop

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary): See Seperate Sheet

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date: 12/22/17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received	Related Case Number(s):	Complaint No.:
Sgt. M. Brewton	12/22/17	2017001541 31	

Attachments: (list): LETTER FROM MR. BEARDEN TO CHIEF GRAHAM

Supervisor Remarks: I WATCHED THE BCS AND IN-CAR VIDEOS OF THE INCIDENT AND FOUND NO VIOLATIONS OF POLICY. OFC. FERNANDEZ'S COMMENT ABOUT "SOVEREIGN CITIZEN" OCCURRED AFTER BEARDEN LEFT THE SCENE WHEN FERNANDEZ WAS SPEAKING TO DET SICKMAN. WILL REMIND OFC. FERNANDEZ TO BE MORE AWARE OF WHAT IS SAID ON CAMERA...

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
T. [illegible]	12/26/17		

Action Ordered:
- ☒ Resolved by Supervisor (Explanation Attached)
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to _____)
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 1/3/18	
Professional Standards (Signature):	Date Filed:	I/A Number:

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
12/19/17		

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
BEARDEN, SIDNEY	FERNANDEZ, J.

Continuation of Complaint:

SUPERVISOR REMARKS, CONT:

I SPOKE TO MR. BEARDEN BY PHONE ON 12/28/17. I EXPLAINED TO HIM THAT WE WOULD NOT BE TERMINATING OFFICER FERNANDEZ AND THAT IT WOULD BE UNLIKELY THAT WE WOULD HAVE HIM APOLOGIZE. I DID, HOWEVER, TELL MR. BEARDEN THAT I WOULD MAKE OFC. FERNANDEZ AWARE OF HIS DISPLEASURE AT BEING ASSOCIATED WITH THE GROUP "SOVEREIGN CITIZENS" (WHICH BEARDEN STATED IS HELD TO BE A TERRORIST ORGANISATION BY THE FBI).

BEARDEN WAS SATISFIED WITH THIS OUTCOME.

-LT. [signature]

Complainant's Signature	Date

From the Desk
Of
Stoney Bearden

City of Ocala Police Department
Police Chief Greg Graham
402 South Pine Avenue
Ocala, Florida 34471

December 19, 2017

Ref: Officer Misconduct/ Violating Oath of Office

Chief Graham,

It saddens me to have to report to you about one of your officer's misconduct and lack of education on his Oath of Office.
The incident I am speaking about happened on 08-11-2017 citation # A8MIPZE with your officer
J. Fernandez 2743 patrol.
If you do not have a copy of the body cam or dash cam I did request one of each from your department for my court date and can make it available to you if you need.
I have waited until after the court date to bring this very unsettling claim to your attention.

I believe it started when I did not allow officer Fernandez to make a U-turn in front of me on this date and he allowed his emotions to cloud his judgement. To be honest I did not even see him until after I passed him and realized that he was trying to make a U-turn in the backed up traffic.

You can see in the videos that officer Fernandez was not once but twice informed that there was no violation. In fact the officer was not issuing any citation until after he ran my license and had me exit the automobile and he started lecturing me. It was then I questioned officer Fernandez about his Oath of Office to the Constitution of the United States of America. That is when as you can see in the video that officer Fernandez became agitated and then demanded that I give him back my driver's license. I asked why and he stated that he was now going to give me a citation. I politely informed office Fernandez that no sir we are done here. He then stated I was not to leave and if I did he would chase me down.
At this point I became upset and stated to him why so he could have a trumped up excuse to either taser me or shoot me in front of my 12 year old child in the automobile.

Officer Fernandez then requested back-up to his location and issued a citation. I again informed officer Fernandez that he was violating the law and his oath of office and that I would be taking this before an honorable court to expose his lack of control and unprofessionalism.

What is the most unsettling to me at this time are the statements that officer Fernandez made to the back-up responding officer. Officer Fernandez stated to the back-up officer that I was a sovereign citizen. As you are well aware of this day and time in the law enforcement community a sovereign citizen has been classified as a homeland terrorist and cop killers. I am appalled at such accusations and am fearful not only for my life but as for my children that are in my care. This type of conduct should not and cannot be tolerated by someone in the position that officer Fernandez is in. I do not take this lightly by any means.

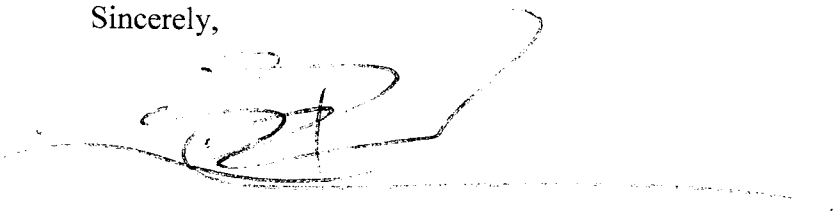
Just because I know a little about the law and questioned his authority that should never have put me in a category as to what your officer has now placed me in. If you are not aware I am very respected in our community, I have run for not only our County Commissioner seat but have also ran for the office of State Representative here in Marion County. I used to own one of the ambulance services providing emergency services for our community and have received many awards from not only our community, the State of Florida but from your own department.

I demand that this officer is terminated for his actions violating his position as a Peace Officer as well as violating the public trust in his position. I also demand that he give a written apology for his actions and accusations that could be harmful to my family, friends or myself while traveling upon the highways here in Marion County.

If I can be of any further assistance in this matter you can contact myself anytime at 352-817-3944.
My mailing address is P.O. Box 771492 Ocala, Florida 34477.

I would like to thank you for your assistance in this urgent and most unsettling matter.

Sincerely,



Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
EVELYN DETORRES		L	7/18/35	W	F

Address: 2013 SE TWIN BRIDGE COURT
Home Telephone No.: (352) 269-0027
City: OCALA State: FL Zip: 34470
Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:

Supervisor (Name) | Rank: | ID No. | Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved: | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:
Additional Officers Involved: | Rank: | ID No.:

Complaint Information

Location of Incident: 2013 SE TWIN BRIDGE CT
Day of Incident:
Date of Incident: 8/20/17
Time of Incident: 1645

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

WHEN THE GIRL CAME, I HAD JUST PICKED UP MY TIN WHERE I HAD MY BRACELET. I TOLD HER TO GO WITH ME TO THE DOOR WHERE THE PEOPLE HAD TRIED TO GET IN TWICE IN TWO WEEKS. I TOLD HER TO HOLD MY TIN CAN THAT I WAS HOLDING BECAUSE I COULDN'T OPEN THAT DOOR WITH JUST ONE HAND. I OPENED THE DOOR AND SHE WENT OUT. SHE CAME BACK IN AND WAITED FOR ME AT THE BREAKFAST NOOK AND ASKED FOR MY CHILDRENS' PHONE NUMBERS. SHE CALLED MY OLDEST CHILD AND SPOKE TO HIM. (CONTINUED)

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: X Evelyn De Torres
Date: 9/29/17

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: SGT G. L. UPTAGRAFT
Related Case Number(s): 2017001644 76
Complaint No.:
Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.): | Date: | Employee (Signature/ID No.): | Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): | Date:
Professional Standards (Signature): | Date Filed: | I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
9/29/17		

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
DETORRES, EVELYN	

Continuation of Complaint:

(CONTINUED)

THEN WE WENT INSIDE MY BEDROOM WHERE MY CLOSET WAS WHERE THEY TOOK THE MONEY. SHE SAW EVERYTHING AND THEN WE CAME OUT. SHE SAID SHE HAD EVERTHING SHE NEEDED AND I WALKED HER TO THE DOOR. 10 MINUTES LATER, I SAID "I FORGOT MY TIN CAN." SHE PROBABLY FORGOT ALL ABOUT IT. I LOOKED FOR IT ALL OVER THE HOUSE, AND I COULDN'T FIND IT.

AS TRANSCRIBED BY SGT. G.L. UPTAGRAFT

Complainant's Signature	Date
X Evelyn De Torres	9/29/17

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):
Continuation of Complaint:		

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) EVELYN DETORRES
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 29th day of SEPTEMBER, 20 17.

By (Signature of Affiant) X Evelyn De Torres

Personally Known _____, or Produced Identification ✓, Type of Identification FL DL D362-200-35-748-0

Official Notary Signature of Law Enforcement Officer:
Original of this form is to be attached to Inquiry/Complaint Form.

OPD-934 (12/09)

MEMORANDUM

TO: Greg Graham, Chief of Police

DATE: January 4th, 2018

FROM: G. L. Uptagraft, Sergeant

SUBJECT: Citizen Complaint

On 08/26/17, at approximately 1645 hours, Officer Tara McBride responded to a reported burglary at the residence of Ms. Evelyn DeTorres (OPD Case 201700164476). Ms. DeTorres reported to McBride that she believed that unknown persons had entered her residence, taking cash and assorted jewelry. McBride did not observe any signs of forced entry, and further obtained a statement from Ms. DeTorres indicating that she (DeTorres) hides jewelry within the house. Ms. DeTorres and Officer McBride were the only persons present during this interaction, which was not recorded, as McBride's issued Coban camera had depleted its battery during the shift and had been left to recharge at the police department.

On 08/28/17, Ms. DeTorres again contacted the Police Department, this time alleging that Officer McBride had stolen jewelry from within the house during the initial investigation of the above-described burglary. DeTorres alleged that McBride had absconded with a "tin box" of jewelry, which McBride had concealed beneath her notebook. Due to the nature of the allegations, Lt. Bienko (the on-duty Watch Commander) responded to the scene. Lt. Bienko conducted a thorough interview with Ms. DeTorres about the matter; his subsequent supplemental narrative indicated that he believed that Ms. DeTorres possibly suffered from Alzheimer's or a similar mental affliction. Nonetheless, this case was forwarded to Sgt. M. Brewton for investigation as a criminal complaint. This led to a consensual search of Ms. DeTorres' home, which did, in fact, yield multiple items of jewelry hidden in the home. However, DeTorres stated that these were not the items she believed to be missing.

On 09/29/17, Sgt. Frank Zadnik and I responded to Ms. DeTorres' residence in order to provide her with formal complaint paperwork. Sgt. Zadnik and I agreed that Ms. DeTorres, while genial and well-intentioned, appeared to suffer from memory issues. She further had difficulty locating documents in her home, consistent with both memory loss and her own admission of hiding belongings.

On 11/29/17, Sgt. Brewton authored a memorandum outlining her findings in the case (see attachment). Generally, Brewton (acting in concert with Capt. S. Cuppy) found that there was nothing which would substantiate the criminal charge against Officer McBride. Brewton concluded that Ms. DeTorres appears to have memory issues, and that this, in conjunction with her penchant for hiding belongings, is the root of the issue at hand. Having met first hand with Ms. DeTorres myself, I concur with this assessment.

The criminal portion of this complaint has been thoroughly investigated and found to be without merit. As any internal investigation of same would be a duplication of previous efforts, I recommend that the Citizen Complaint be closed as unfounded.

GLU / glu

Attachments: OPD case 201700164476
Memorandum of Sgt. M. Brewton

MEMORANDUM

TO: Greg Graham, Chief of Police DATE: November 29, 2017

FROM: M. C. Brewton, Sergeant SUBJECT: Case# 201700164476

On 10-03-17, I was asked to investigate the above listed case involving Officer Tara McBride possibly removing jewelry from the home of Mrs. Evelyn Detorres 2013 SE Twin bridge Ct. Laurel Run .

On 08-29-17, I was asked by Lt. Bienko to assist Mrs. Evelyn Detorres in locating her missing jewelry. Upon arrival I made contact with Mrs. Detorres at her home, and upon arrival I noticed her keys in the front door lock. Det. Hardman handed her the keys, and she immediately stated that she forgot she left them in the outside lock. Det. Williams, Det. Hardman and I assisted Mrs. Detorres by searching the home for the missing jewelry; we located various pieces of jewelry in the kitchen, on a stand, inside an ice bucket. Upon presenting the jewelry to Mrs. Detorres, she stated, she had forgotten she had placed the jewelry in that location approximately three months ago. She then stated the jewelry located was not the missing jewelry. While searching the home we located more "tins" of jewelry, but Detorres continued stating, it was not the jewelry in question, in fact, she stated that it was not her "good" jewelry.

Mrs. Detorres alluded to having a safe in her attic, we asked for permission to look inside the safe, after asking a number of times; she agreed, however, she was unable to locate the key. Due to the aforementioned we were not able to locate nor were we able to look inside her safe.

I then made contact with Mrs. Sharon Morgan, a friend of Mrs. Detorres, who advised, she assisted Mrs. Detorres in looking for the missing jewelry. She also stated that Mrs. Detorres often misplace items, but usually recalls were they are and/or comes across the item later.
I telephone Mrs. Detorres' son, David Detorres (Texas), who stated his mother sometimes forgets things, but normally remembers the location of the misplaced items.

I then made contact with Mrs. Detorres' second son, Randy Detorres (Peru), who advised his mother is not prone to forgetfulness. He further advised his mother normally keeps her jewelry in a cloth bag and carries it around with her.

On 10-16-17, I made contact with Officer McBride in reference to this case and conducted a taped interview. Officer McBride stated she made contact with Mrs. Detorres who advised someone had broken into her home. She then stated, Mrs. Detorres reported to her that some of her jewelry had been taken to include a bracelet (which Detorres discovered was actually still on her own arm). Officer McBride noted in her report there was possibly Dementia issues with Ms. Detorres.

Officer McBride noted that Mrs. Detorres would often repeat some of the same information, but changes the amount or type of jewelry that was taken during the burglary. Officer McBride did walk through the home with Ms. Detorres, but did have difficulty getting all the information need to complete the investigation. She was told by the victim jewelry was hidden under a bathroom sink and outside in the back yard. Ms. Detorres would not show those items to Officer McBride and made the general statement about not telling anyone where she kept her jewelry hidden. Officer McBride wanted to examine those items to see if they were the items being reported to her as stolen.

I asked Officer McBride if she could have mistakenly taken Mrs. Detorres' jewelry under her notebook, to which she replied a firm "no." Officer McBride further explained that she carries a small notebook, 3in. X 5in, in the field. Upon examination of the note book I observed notations she "hides jewelry in the house somewhere" and she "won't tell where she hides the jewelry in the house." Officer McBride's note book was collected and placed into evidence.

Officer McBride then stated that the incident in question was not captured on her body camera due to it being on the charger at OPD headquarters. A review of pawn transactions was made a no transactions were made by Officer McBride and no jewelry possibly matching the description of Ms. Detorres items was observed.

On 11-22-17, I made a follow-up call to Mrs. Detorres in an attempt to determine whether or not the jewelry had been located. Mrs. Detorres advised she had not located her jewelry and that the Officer had taken it. She then stated that she needed a copy of the report, to send to her insurance company in hopes to receive compensation for the missing items. Lastly, she stated because of this incident she has not been able to pay all her bills. It should also be noted, since this incident report, Mrs. Detorres has reached out to the Police department in reference to someone taking her keys (case# 201700197621), which she later found.

After speaking with all parties involved, Captain Cuppy and I determined there is not enough evidence to neither substantiate a crime against Officer McBride nor present to the State Attorney's Office for review. It is our opinion that Officer McBride did not commit this offense. We believe Ms. Detorres has memory issues, takes measures to hide valuables she owns, and the combination of these two create unfortunate circumstances like this.

MB/mb

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	MI	DOB	Race	Sex
Jackson	Mary	Ann	1953	B	F
Address			**Home Telephone No**		
1944 N.W. 11th St			[illegible]		
City	**State**	**Zip**	**Work Telephone No**		
Ocala	FL	34475	[illegible]		

Employee Information

Last Name	First Name	MI	Title/Rank	Race	Sex
Carruthers	Justin				
Supervisor (Name)	**Rank**	**ID No**	**Supervisor on Scene**	☐ Yes	☐ No
Additional Officers Involved			**Rank**		**ID No**
Additional Officers Involved			**Rank**		**ID No**
Additional Officers Involved	J. Wong.		**Rank**		**ID No**

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident
1944 NW 11 St.		09/17/16	0935 hrs.

Reason for Contact: Mary Ann Jackson

Remedy Sought:

Statement of Complaint (Use additional sheets if necessary):

Cpl Carruthers didn't even look at me walk in the trailer [illegible] I can [illegible] I [illegible] my head. He [illegible] my medication I give [illegible] I [illegible] I [illegible] [illegible] [illegible]

Ocala Police Department

Complaint Reception Record Narrative

Date of Report	Complaint No	I/A No
Complainant's Name (Last, First, MI)		Employee's Name (Last, First, MI)

Continuation of Complaint

Complainant's Signature

Date

Page _____ of _____

Ocala Police Department

Complaint Reception Record Narrative

Date of Report	Complaint No	I/A No

Complainant's Name (Last, First, MI)	Employee's Name (Last, First, MI)

Continuation of Complaint

[illegible] the [illegible] I stayed there for 5 days. The nurse called Munroe Hospital Because my Diabetic Card [illegible] the [illegible] they [illegible] Because we [illegible]

This is wrong. The Jackson [illegible] Catholic's and [illegible] to pay for all my Hospital Bills for my pedicure Surgery and I get the Same answer Back, that I [illegible]

Complainant's Signature	Date
[signature]	1-5-16

Page _____ of _____

MEMORANDUM

TO:	Justin Caruthers, Police Officer	DATE:	January 20th, 2017
FROM:	Greg Graham, Chief of Police Ocala Police Department	SUBJECT:	IA Investigation # 16-08

The Internal Affairs investigation concerning the complaint against you has been completed. I have approved the final report and the findings. There were no violations of the Ocala Police Department Directives sustained against you.

Pursuant to Departmental Directive 3.03 (E) (12) you may request a complete copy of the Final Investigative Report by submitting that request to the Office of the Chief of Police.

GG/ms

MEMORANDUM

TO:	Chuck Long, Sergeant	DATE:	January 20th, 2017
FROM:	Greg Graham, Chief of Police Ocala Police Department	SUBJECT:	IA Investigation # 16-08

The Internal Affairs investigation concerning the complaint against you has been completed. I have approved the final report and the findings. There were no violations of the Ocala Police Department Directives sustained against you.

Pursuant to Departmental Directive 3.03 (E) (12) you may request a complete copy of the Final Investigative Report by submitting that request to the Office of the Chief of Police.

GG/ms

MEMORANDUM

TO:	Jessica Wong, Police Officer	DATE:	January 20th, 2017
FROM:	Greg Graham, Chief of Police Ocala Police Department	SUBJECT:	IA Investigation # 16-08

The Internal Affairs investigation concerning the complaint against you has been completed. I have approved the final report and the findings. There were no violations of the Ocala Police Department Directives sustained against you.

Pursuant to Departmental Directive 3.03 (E) (12) you may request a complete copy of the Final Investigative Report by submitting that request to the Office of the Chief of Police.

GG/ms

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Dailey	Hugh	F.	9/15/62	W	M

Address:	Home Telephone No.:
12454 NE 14th Ave	352. 804. 4263 (M)

City:	State:	Zip:	Work Telephone No.:
Anthony	FL.	32617	352. 671. 1006

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Joedicke	William		~~Ofc~~	W	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
Whitson, Lee	Sgt.		☒ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
S. Pine Street Ocala	JAN 8, 2016	1/8/16	6:00 pm

Reason for Contact: Police Harrassment; Poor customer service

Remedy Sought: Train officers on how to treat taxpayers.

Statement of Complaint: (Use additional sheets if necessary):

I was pulled over JAN 8, 2016 for an expired tag. (8 days). I had renewed the tag for 2 years (paid) but did not have new plate on yet. The officers confiscated my plate that was on the truck and made me walk home. Both officers were unreasonable and ~~lost~~ I lost all respect for OPD. I called Rodney Smith on JAN 11, 2016. He responded on JAN 22, 2016

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:
		1/22/16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
	2/3/16

Professional Standards (Signature):	Date Filed:	I/A Number:
		N/A

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Hugh F. Dailey realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 13th day of January, 20 16.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Complaint ( )

I received a call from the complainant Hugh Dailey reference a traffic stop conducted by Officer Joedicke. During the traffic stop, the officer called for a supervisor to speak with Mr. Dailey who was upset with the professionalism during his citizen/police contact.

I had retired Lt. Mike Kurtz deliver the Ocala Police Department complaint paperwork to Mr. Dailey at the Ocala Community Bank. I spoke with Mr. Dailey on another occasion after reviewing the traffic stop video, DAVID and CAD reports.

On February 1, I went to the Community Bank and met with Mr. Dailey who returned the appropriate complaint paperwork. After conversing with Mr. Dailey, it was decided he would not pursue the issue any further but left any follow up to the Agency.

This complaint has been resolved.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Singh	Profulla	C	9/13/62	W	M

Address:	Home Telephone No.:
11810 Southeast 55th Avenue	(352) 245-4370

City:	State:	Zip:	Work Telephone No.:
Belleview	Florida	34420	(352) 216-4480 Cell Ph

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Proco			Det.		

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Mike Spicer	Sgt.		☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Belleview High School	1/12/16	1/15/16	

Reason for Contact: Unethical and possible illegal activity

Remedy Sought: To be determined

Statement of Complaint: (Use additional sheets if necessary): See attached complaint

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:
		1/27/16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:
C. SIROLI	20160000697	

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered: ☐ Resolved by Supervisor (Explanation Attached) ☒ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date:
	2/8/16

Professional Standards (Signature):	Date Filed:	I/A Number:

Citizen's Complaint against Det. Proco filed by Mr. Profulla Singh

I teach at Belleview High School. On January 12, 2016, while in the process of teaching, I received a call from the office informing me that a Det. Proco needed for me to call him. I stepped out of my classroom and called Det. Proco at 9:53. He told me he wasn't at his desk and would call me back once he was there. He called me at 9:56. He wanted my help with an investigation. I told him that it would not be possible for me to respond that day so I would contact him the next day. The following day I called as I said I would. He did not answer so I left a message for him telling him that I would not be able to help with the investigation. He never responded to my message even though I had given him my cell phone number. On January 15, 2016 at approximately 9:15 I was called into my principal's office, Mr. Mike Kelly. He shut the door and told me he just had an unusual call from the county office. He said that an Ocala Police Department Detective had called the Marion County Public Schools district office and wanted them to influence me to help him with his investigation. So the Deputy Superintendent of Marion County Public Schools, Mrs. Lisa Krysalka, called Mr. Kelly telling him to talk with me about it. Mr. Kelly knew the same details about the investigation that Det. Proco had told me. The investigation does NOT involve Marion County Public Schools in any way. You may contact Mr. Kelly at (352) 671-6210.

On January 21, 2016, I met with Sgt. Spicer, Det. Proco's supervisor, at his office at approximately 1600 hours. During this talk Sgt. Spicer informed me that Det. Proco never informed him that I had given him my cell phone number. Sgt. Spicer said he would have a talk with Det. Proco as to why he didn't inform him that he had my number. Sgt. Spicer also stated that Det. Proco didn't inform him that he initially contacted me at Belleview High School while I was in the process of teaching, thus interrupting my class. Det. Proco could have called the school during non-instructional hours but he choose not to. Sgt. Spicer said the reason he authorized Det. Proco to contact the Marion County Public Schools district office was because they needed to get in touch with me. After some further conversation, Sgt. Spicer informed me that when fellow officers make mistakes, they (OPD) don't air their dirty laundry.

Det. Proco's initial contact with me on January 12th was through him calling Belleview High School directly. Therefore he knew he could reach me by calling Belleview High School. During our phone call, I gave him my cell phone number. Therefore he knew he could reach me directly by calling me on my cell phone. So that Det. Proco knew he had two different ways to contact me.

As Det. Proco had two different ways to contact me, there was no need to contact the Marion County Public Schools district office. There is only one logical reason he did so. He was not satisfied with my message that I would not be able to help with the investigation. Sgt. Spicer indirectly confirmed this during our conversation as he said he didn't understand why I, a teacher who didn't even stay in the room, would not be willing to help in the investigation, so he authorized Det. Proco to find out why.

Therefore, when Det. Proco contacted the Marion County Public Schools district office, it was not to contact me, it was an effort to intimidate me by trying to use my employer to coerce me into helping him with his investigation. I believe Det. Proco's actions were not only unethical but also illegal as telling my employer, not a party to the case, details about the investigation was an attempt to defame my character.

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Profulla Singh
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 27TH day of JANUARY, 2016.

By (Signature of Affiant) [signature]

Personally Known √, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: M Diane Weicherding
Original of this form is to be attached to Inquiry/Complaint Form.

M. DIANE WEICHERDING
MY COMMISSION # FF 077581
EXPIRES: December 23, 2017
Bonded Thru Notary Public Underwriters

OPD-934 (12/09)

Ocala Police Department
Supervisory Inquiry

Number: SI-003-16

Complainant	Mr. Profulla Singh		Date Received	2/3/16
Address	11810 Southeast 55th Avenue		Time Received	0900
City/State	Belleview, Florida		Received By	Captain C. Sirolli
Telephone	Home: (352) 245-4370 Work: (352) 216- 4480		Investigator	Captain C. Sirolli

Incident Location	Marion County School Board
Violation Alleged	Unethical and illegal action by detective Prohibited Acts: # 21 Members shall not intimidate any person for personal reasons under the color of authority (Level 2)

Accused Officer(s): Mark Proco, Detective

Summary of Complaint	Mr. Singh is accusing Detective Proco of being unethical and committing illegal action during his investigation. Mr. Singh claims since he refused to speak to Detective Proco about the case which he was assigned, he contacted the Deputy Superintendent of the Marion County School Board, Mrs. Lisa Krysalka. Mrs. Krysalka then contacted Belleview High School Principal, Mr. Kelly in hopes to compel Mr. Singh to cooperate with the police. During which Detective Proco shared information not privileged to the School Board or High School. Mr. Singh feels these actions by Detective Proco have soiled his reputation with his employer.

Investigative Summary	On February 5th, 2016, I spoke with Deputy Superintendent, Lisa Krysalka about Mr. Singh allegations of Detective Mark Proco. During the interview with her, she indicated to me that Detective Proco was trying to get Mr. Singh to cooperate in an investigation which he was involved in. She stated that Detective Proco only gave her a brief description of the type of case he was working but never fully disclosed the case to her. After speaking to Detective Proco, she contacted Mr. Mike Kelly of Belleview High School and requested that he try to convince Mr. Singh of the importance of contacting Detective Proco and helping him in getting closure in the case he was investigating. Mrs. Krysalka indicated to me, Detective Proco never used intimidation or used coercions in his talk with her but requested help only in seeing what they could do on their end, to convince Mr. Singh to assist more in the investigation. Mrs. Krysalka also indicated that Detective Proco was very polite and professional in his phone conversation with her. On this same date, I spoke to Mr. Kelly in his office and he told me that he never spoke to Detective Proco and based on what Mrs. Krysalka requested he do, he called Mr. Singh to his office and spoke to him on the importance of helping in the case. Mr. Kelly indicated to me that he received very little information from Mrs. Krysalka about the case, he could only tell Mr. Singh to contact Detective Proco to see what he could do to help in the case. Kelly said that Mr. Singh explained the case to him and said he would not help Detective Proco, because the girl he reserved the room for doesn't like police officers. Mr. Kelly took that as a no on Mr. Singh helping and since Mr. Singh didn't involve any students or other teachers of the school in the case, the school had nothing more they could do. I asked Mr. Kelly if there was any indication on Mrs. Krysalka side, that she wanted him or anyone else to coerce/intimidate Mr. Singh, Mr. Kelly said, "No, I never took our conversation to be that

	way." On February 8th, 2016, I spoke with Detective Proco who indicated that after receiving the case from patrol, he attempted to contact all parties involved, afterwards contacting Mr. Profulla Singh. During the conversation, Singh told Detective Proco he would not identify the female whom he rented the room for, but said she had had some of her homeless friends stay due to the cold weather. Detective Proco asked Mr. Singh to speak to the female and see if she would be okay with him talking to her. Mr. Singh called Detective Proco back and left a message on the phone declining to help anymore in the case. Detective Proco discussed the case with his supervisor, Sergeant Mike Spicer, who directed Proco to call the school board and see if they could get Mr. Singh to cooperate in the case. Detective Proco did as requested by his supervisor and spoke to Mrs. Krysalka. Detective Proco only gave her enough information that would give her the importance of the case, which was confirmed by Mrs. Krysalka. After Speaking with Sergeant Mike Spicer on Tuesday, February 9th, 2016, he too stated that he had told Detective Proco to contact the school board and see what they can to do to assist us in getting Mr. Singh to cooperate in the case. Sergeant Spicer also spent a hour or so speaking with Mr. Singh after work in order to suppress the issues Mr. Singh had with Detective Proco (after Proco had contacted the School Board Deputy Director Krysalka). Sergeant Spicer thought the situation was handled and both parted ways. After a careful review of the circumstances surrounding this incident, I find the following: Detective Proco was assigned a case with very little information available from which to draw any conclusions concerning the potential ongoing victimization of our citizens. The only person available to assist him in making such a determination would have been Mr. Singh. This fact clearly illustrates the importance of Mr. Sing's cooperation in the case and the need for a certain degree of persistence on the part of the detective. Sgt. Spicer's direction to contact the school board directly, in hopes of garnering Mr. Sing's cooperation, could be construed as overreaching because this bypassed the school principal. It could also be viewed, as clearly outlined by Mr. Singh, as a coercive tactic which could have been detrimental to the employee/employer relationship. Although not the most desirable tactic, Det. Proco was left with little option but to either inactivate a potentially ongoing criminal incident due to a lack of available leads, or persist in his efforts with Mr. Singh. The fact that he and his supervisor chose the latter may have been a less than optimal choice, but I fail to see how their actions rise to the level of unethical or illegal behavior as claimed by Mr. Singh. Because of this, it is my recommendation that both Sgt. Spicer and Det. Proco be cleared of these allegations In response to these findings, it is my intent to meet with both the detective and the supervisor concerning the potential ramifications of such actions and available options, in hopes of preventing a situation such as this from reoccurring. Attached is the original complaint by Mr. Singh, four (4) DVD's with statements from Deputy Superintendent Lisa Krysalka, Belleview Principal Mike Kelly, Detective Mark Proco, and Detective Sergeant Mike Spicer. A copy of the Complaint Receipt, Garrity Warning, Police Officers' Bill of Rights, the Complaint Summary received by Detective Proco and Sergeant Spicer and lastly a copy of the original report.

Disposition	
Resolved with citizen and /or no further action deemed necessary	✓
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Action Taken	

Signature	2/30/16 Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 24 day of Feb, 2016

Investigating Officer #C1

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name: Florence	First Name: Earline	M.I.: B	DOB: 2-18-59	Race: BIK	Sex: F
Address: 1042 Meadow Pt Ct			Home Telephone No.: Cell 912-550-9797		
City: Jacksonville	State: FL	Zip: 32221	Work Telephone No.:		

Employee Information

Last Name: Crandall	First Name:	M.I.:	Title/Rank:	Race: CAU	Sex: M
Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Reason for Contact:			

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

See Attached.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 2-16-2016

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: Sgt. M.K. Sommer Jr	Related Case Number(s): 2016000021198	Complaint No.: ST-2016-10

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.): [signature]	Date: 2/17/16	Employee (Signature/ID No.):	Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to [redacted])
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): [signature]	Date: 2/17/16	
Professional Standards (Signature):	Date Filed:	I/A Number:

Rec'd 2-18-16 [signature]

Continue Sheet OPD Complaint Record
Earline Florence 201600001198

On January 2, 2016 I was assaulted by (Arkeshia Johnson) while attending a Class Reunion at the Banquet facility of Motel 6 in Ocala. I called 911 to report the assault and the officer assigned to my call was Officer Crandall.

Officer Crandall took my statement and provided me with a case number to follow up with. Officer Crandall also informed me that I would need to participate in a photo lineup and after that the case would be forwarded to the States Attorney office for processing.

These are the issues that I have with Officer Crandall which prompted me to initiate this complaint:

The incident occurred, and was reported to Officer Crandall on January 2, 2016. During a phone conversation days later, Officer Crandall told me that CID would be assigned my case. On January 8th, I went to OPD for a copy of the report and was informed by an officer at the front desk that these types of cases are not assigned to CID. The officer further informed me that the report had been kicked back to Officer Crandall, but gave no explanation as to why. I then left and went to the SAO for an appointment.

On February 9th, I went again to OPD to obtain a copy of the report before my meeting with Ken Raym at the SAO. I was advised by a clerk that the case was still under investigation and I couldn't have it. During my meeting with Ken Raym, he stated that they could not make any type of decision because Officer Crandall had not interviewed the defendant, or any of the eye witnesses. He said that he would send Officer Crandall an email.

After January 8th, and before February 9th, I made approximately four other calls to OPD in attempt to obtain the report, but was told it was still under investigation.

I'm aware that OPD has policies and procedures that officers follow when investigating cases. It is a mystery to me as to why he would treat my case with such disinterest and disrespect. I was told that he was a veteran police officer, but his actions speak otherwise.

On February 16, I spoke with the SAO and they informed me that my case has been transferred back to OPD. They advised me that the investigator needs to walk a warrant through. I do not wish to communicate with Officer Crandall anymore.

Being a victim of a battery is traumatizing enough, but to be treated in this manner by a law enforcement officer is demeaning, and embarrassing. I felt he handled my case in an unprofessional manner and did not have my family or my best interest or safety at heart and I am perplexed about that. I certainly hope he doesn't work all of his cases in this manner.

I respect law enforcement and having military/law enforcement affiliation I do understand the law and victim rights. Officer Crandall' mishandling of this case makes me wonder how many others victims that he has just brushed aside. For quite sometime this young lady has been threatening my family and this I have made Officer Crandall aware of and that is the scary part. Any officer that is investigating a case of this nature and is made aware of the circumstances should of at the least make a reasonable attempt to investigate and make a charge or point my family in the right direction. I hope that your administration deals with this officer and investigate his job performance along with his character. I hope that he never treats any other victim in the careless and unconcerned manner that I endured and the department learns and leans forward from this situation.

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Laelina B. Florence realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 16th day of February, 2016

By (Signature of Affiant) L. B. F.

Personally Known ✓, or Produced Identification X, Type of Identification FLDL

Official Notary Signature of Law Enforcement Officer: Alexandra Zapata James

Original of this form is to be attached to Inquiry/Complaint Form.

Alexandra Zapata James
State of Florida
My Commission Expires 08/05/2018
Commission No. FF 135276

OPD-934 (12/09)

2-16-16

Ocala Police Department
Supervisory Inquiry

Number:

Complainant	Earline Florence		Date Received	02/18/16
Address	1042 Meadow Pt Ct		Time Received	1600
City/State	Ocala, Florida		Received By	Lt. B. Woods
Telephone	Home: (352) 427-6692 Work:		Investigator	Lt. B. Woods

Incident Location	3810 NW Blitchton Rd Ocala, Fl
Violation Alleged	3.02(O)(1) – Discipline – Rules of Conduct: Unsatisfactory Actions shall include that which brings the Department into disrepute or reflects discredit upon the person as a member of the Department or that which impairs the operation or efficiency of the Department or member. This violation will be utilized only when no specific prohibited act or required behavior can be addressed

Accused Officer(s): Ofc. Mark Crandall

Summary of Complaint	During a preliminary investigation of a reported battery (201600001198) you failed to gather witness information and conduct interviews. After assigned the case for the follow-up investigation you did not conduct the investigation in a timely manner to ensure the victim in the case was provided the appropriate documentation to file with the State Attorney's office and bring resolution for the victim in the case.

Investigative Summary	Ofc. Crandall was given the Supervisory Inquiry Form, Complaint Reception Form, LEO Bill of Rights Form and Garrity Form. I first reviewed the incident report to #201600001198. • Ofc. Crandall indicates within the case narrative that the victim, Mrs. Florence, had a visible injury upon her cheekbone. • There is no documentation if any photos were taken of the injuries by himself or an evidence officer. • There is no supplemental narrative from an evidence officer within the report. • No information within the case narrative indicating that there were any witnesses to the incident. • There is no hand written statement (form) from the victim within the report. • Ofc. Crandall indicates within the case narrative that he would have a photo lineup created in order to obtain a positive identification of the suspect. Ofc. Crandall also indicated that he told the victim that after her positive identification she could move forward with the warrant procedure. • No information within the narrative indicating if Ofc. Crandall made contact with the suspect or made any attempt to locate/contact the suspect. • Attached to the case are four supplemental narratives: ○ Narrative created by Det. Bowman on 1/26/16 - Det. Bowman indicates within his narrative that on 1/19/16 he presented a photo lineup and admonition to Mrs.

Florence under the direction of Sgt. Eades.

- Narrative created by Ofc. Crandall on 1/25/16 – Ofc. Crandall notes Det. Bowman's actions and that Mrs. Florence had a scheduled appointment with the State Attorney's Office. No information within the narrative if he made contact with Mrs. Florence.
- Narrative created by Ofc. Crandall on 2/9/16 – Ofc. Crandall indicates within the narrative receiving an email from Ken Raym with the State Attorney's Office advising of no statement from the suspect and no witnesses in the case. Ofc. Crandall also typed that "there were no independent witnesses who could support the victim's statement or the suspects if she could be located."
- Narrative created by Det. Steckman on 2/11/16 – Det. Steckman indicates within the narrative that he made contact with the Manager of Motel 6 (incident location) and was provided the information for the individual, Dwan Thomas, who reserved the facility for the class reunion that the incident occurred at. After making contact with Mr. Thomas, it was determined that Mr. Thomas was a witness to the case. Det. Steckman indicates within his narrative that he made contact with Mrs. Florence (victim) who then provided the information for two witnesses to the incident. According to Det. Steckman's narrative he interviewed Mr. Thomas and the two additional witnesses of the incident and at this time he is presenting the case to the State Attorney Office.

I then did an audit of the narratives within the case and creating a word document showing the path of travel for each of the narratives created by the officers.

- Case Narrative:
  - Submitted by Ofc. Crandall on 1/3/16 for approval to the D1S basket.
  - Approved and assigned back to Ofc. Crandall to his in-flow basket for follow up investigation on 1/3/16 by Sgt. Bos.
  - On 1/25/16 Ofc.Crandall moved the narrative to the D1S basket.
  - On 1/26/16 Sgt. Whitston assigned the narrative back to Ofc. Crandall into his in-flow basket.
  - On 2/10/16 Ofc. Crandall moved the narrative to the D1S basket.
  - On 2/10/16 Sgt. Vizzini assigned the narrative back to Ofc. Crandall into his in-flow basket.
  - On 2/12/16 Ofc. Crandall moved the narrative to the D1S basket with a note, "Some how this is duplicated not sure why".
  - On 2/13/16 Sgt. Malone assigned the narrative back to Ofc. Crandall into his in-flow basket with a note, "This showed up as a duplicate to me".
- Crandall Supplemental Narrative 1/25/16:
  - Submitted by Ofc. Crandall on 1/25/16 for approval to the D1S basket.
  - Returned for "Pending Correction" on 1/25/16 back to Ofc. Crandall into his in-flow basket by Sgt. Whitston with note, "wait to inactivate until the SAO appointment".
  - On 1/26/16 Ofc. Crandall moved the narrative to the D1S basket with a note, "At that point I can EX it, why not inactivate it and get it out of my box for now?".
  - On 1/26/16 Sgt. Uptagraft assigned the narrative back to Ofc. Crandall into his in-flow basket.
  - On 2/8/16 Ofc. Crandall moved the narrative to the Records in-flow basket.
- Crandall Supplemental Narrative 2/9/16:
  - Submitted by Ofc. Crandall on 2/9/16 for approval to the D1S basket.
  - Returned for "Pending Correction" on 2/9/16 back to Ofc. Crandall into his in-flow basket by Sgt. Vizzini with a note, "Are you obtaining a warrant? It is not inactive pending arrest until a warrant is issued".
  - On 2/12/16 Ofc. Crandall moved the narrative to Sgt. Malone's in-flow basket for approval with a note, "Hey, take a look at this case, it's a simple battery that a detective is now involved in, I sent the victim to the SAO for a warrant, but not sure what is going on with it. Inactivate it or send it back to Steckman?????????not really sure what to do".

- On 2/13/16 Sgt. Malone assigned the narrative back to Ofc. Crandall into his in-flow basket with a note, "I changed the status to Open Again. Leave t like that for now. Touch base with Steckmann via email and see if he is working on it know. Based on theclosure in his narrative it is hard to tell. THANKS".

- Bowman Supplemental Narrative: Det. Bowman submitted the narrative for supervisor approval on 1/26/16 into the MCS basket and on the same date Sgt. Buchbinder approved the narrative forwarding it to the Records in-flow basket.
- Steckman Supplemental Narrative: Det. Steckman submitted the narrative for supervisor approval on 2/11/16 into the MCS basket and on the same date Sgt. Buchbinder approved the narrative forwarding it to the Records in-flow basket.

On 2/26/16 at 1358 hrs, I spoke with Earline Florence via phone (912-550-9797). Due to Mrs. Florence residing in Jacksonville, Fl, a scheduled telephone interview was arranged for 3/1/16 at no set time in the afternoon.

- During the phone conversation Mrs. Florence expressed her concerns in regards to an incomplete investigation and how the she could not obtain a complete report.
- Mrs. Florence also commented that she did not wish to get the officer in trouble but wanted to ensure that cases are completed in a timely manner.

On 2/29/169, I conducted a taped interview with Det. Mike Bowman at 1253 hrs in the Watch Commander's office.

- Det. Bowman's only involvement in the case was administering the admonition and showing the photo line up to Mrs. Florence.
- Det. Bowman had email correspondence with Ofc. Crandall about the case and Ofc. Crandall is asking Det. Bowman to complete a supplement narrative.

On 3/1/16, I conducted a taped interview with Det. Matt Steckman at 1022 hrs in the Watch Commander's office.

- Det. Steckman was assigned the case by Major Balken for a follow up investigation.
- Det. Steckman located three witnesses to the case and interviewed each witness.

On 3/1/16, I conducted a taped interview with Det. Stephanie McQuaig at 1038 hrs in the Watch Commander's office.

- Under the direction of Sgt. Buchbinder, Det. McQuaig was developing a photo lineup for the case until she spoke with Det. Dustin Todd, in which, at that time she was advised by Det. Todd that the lineup had already been done.
- Det. McQuaig assisted Det. Steckman in an interview with a witness.
- Det. McQuaig had no correspondence with Ofc. Crandall.

On 3/1/16, I conducted a taped interview with Sgt. Charlie Eades at 1057 hrs in the Watch Commander's office. Sgt. Eades advised how he instructed a detective to administer the photo lineup for the case. No other involvement with the case.

On 3/1/16, I conducted a taped phone interview with Earline Florence at 1526 hrs in the crow's nest in the communication's center.

- Mrs. Florence briefly explained the events that occurred the night of the incident and what she told Ofc. Crandall.
- Mrs. Florence did not meet Ofc. Crandall at the incident location.
- Mrs. Florence did not advise Ofc. Crandall of witnesses to the incident.
- Ofc. Crandall did not ask Mrs. Florence if she had any witnesses.
- Mrs. Florence was instructed to wait for photo lineup and then was also given instruction on taking her case to the State Attorney's office.
- Mrs. Florence stated that Ofc. Crandall did call her a few times and she spoke with him a couple times. One time was for her to come to the Police Department to make contact with an investigator for the photo lineup.
- Mrs. Florence met with Det. Bowman for the photo lineup and admonition.

- Mrs. Florence met with Intake Officer with State Attorney's office, Ken Raym, to proceed with filing charges against the suspect.
- Mrs. Florence advised that she was told by Mr. Raym that they could not proceed due to lack of information within the case.
- Mrs. Florence advised that she spoke with Det. Steckman and advised of the events that occurred the night of the incident. She also told Det. Steckman of the witnesses that she had.
- Mrs. Florence advised she had no further communication with Ofc. Crandall.

On 3/2/16, I conducted a taped interview with Sgt. Mike Sommer at 0932 hrs in the Watch Commander's office.

- Sgt. Sommer was the desk sergeant in the lobby when Mrs. Florence came for her review of the photo lineup and Sgt. Sommer located who needed to handle the admonition and photo lineup in the case.
- At the initial contact with Sgt. Sommer, Mrs. Florence did not make a formal complaint about the case.
- Sgt. Sommer did review the case report and observed what he believed to be misdirection of narratives by Ofc. Crandall.

On 3/2/16, I requested of MIS the emails for Ofc. Crandall between the dates of: 1/2/16 and 2/29/16. Once MIS obtained all emails, I sorted through each of them obtaining all correspondence in reference case #20160001198.

On 3/2/16, I obtained the phone bills for Ofc. Crandall's department issued cell phone through personnel and the shared drive.

On 3/5/16 and 3/6/16, I reviewed all documentation obtained for Ofc. Crandall's emails and phone bills.

- Total of 21 email correspondence in reference to case #201600001198
- Total of 4 phone calls made to Mrs. Florence cell phone from Ofc. Crandall's department issued phone.
- On 1/6/16 at 2335 hrs, Ofc. Crandall's phone record shows a call for 7 minute duration to Mrs. Florence cell phone.
- On 1/11/16 at 2352 hrs, Ofc. Crandall's phone record shows a call for 6 minute duration to Mrs. Florence cell phone.
- Ofc. Crandall's first email was sent on 1/11/16 at 0258 hrs to Det. Todd requesting assistance with a photo lineup.
- Ofc. Crandall received photo lineup from Joe Morrison on 1/12/16 at 1043 hrs by email.
- On 1/15/16 at 2134 hrs, Ofc. Crandall's phone record shows a call for 5 minute duration to Mrs. Florence cell phone.
- Ofc. Crandall sent Sgt. Charlie Eades an email on 1/16/16 at 0104 hrs requesting assistance from CID on showing the photo lineup. Ofc. Crandall had already established an appointment for Mrs. Florence on 1/19/16 at 1500 hrs to make contact with CID.
- On 1/16/16 at 0210 hrs, Sgt. Eades replied to Ofc. Crandall's email advising Ofc. Crandall to send his information to Det. Todd.
- Ofc. Crandall sent Det. Todd an email explaining his email to Sgt. Eades and requesting his assistance on 1/16/16 at 0240 hrs.
- On 1/19/16 at 1641 hrs, Det. Todd replied to Ofc. Crandall's email explaining that Det. Bowman did the photo lineup.
- Ofc. Crandall replied to Det. Todd's email on 1/20/16 at 0509 hrs advising he would make contact with the victim.
- On 1/20/16 at 2032 hrs, Ofc. Crandall's phone record shows a call for 6 minute duration to Mrs. Florence cell phone.
- Between 1/24/16 and 2/10/16, there is email correspondence between Ofc. Crandall and Ken Raym with the State Attorney's Office informing Ofc. Crandall of Mrs. Florence scheduled appointment. Also within the emails Mr. Raym advises Ofc. Crandall the report lacks the suspect's side of the story and any witness statements.

- Between 2/9/16 and 2/10/16, there is email correspondence between Ofc. Crandall and Capt. Taylor. Correspondence is Capt. Taylor inquiring about the case from Ofc. Crandall.

On 3/10/16, I conducted a taped interview with Ken Raym with the State Attorney's Office. Mr. Raym advised of the email correspondence and provided me with copies of the email correspondence. Mr. Raym also advised of the lack of info that was within the report in order for their office to file charges.

On 3/11/16, I made contact with Capt. Taylor at the PD and inquired if had any verbal conversation with Ofc. Crandall in reference to this case. Capt. Taylor advised that he only had the email conversation with Ofc. Crandall.

On 3/15/16, I conducted a sworn taped interview with Ofc. Crandall with FOP representive Jared Sieg present. Ofc. Crandall was given the Bill of Rights for LEO and Garrity Warning (signed for said Garrity Warning).

- Ofc. Crandall met Mrs. Florence at Holiday Inn Hotel and conducted the preliminary investigation.
- Ofc. Crandall stated he asked for witness information but was not provided with names at that time.
- Ofc. Crandall states that he asked husband about witnessing incident and Mr. Florence only shook his head in a negative motion.
- Ofc. Crandall stated he observed the swelling on Mrs. Florence's cheek and she refused any medical treatment for said injury.
- Ofc. Crandall explained warrant procedure once the suspect had been identified in a photo lineup.
- Between 0430 hrs and 0500 hrs on the evening of the report, Ofc. Crandall stated he went to Motel 6 to make contact with potential witnesses to the case but no one was still on scene.
- Ofc. Crandall stated he attempted to contact the suspect by going to the last known address for the suspect that evening with negative results.
- Ofc. Crandall stated he called Mrs. Florence a few times after the initial report in order to obtain the witness information but Mrs. Florence did not provide the information.
- According to Ofc. Crandall, he was never informed that the case had been assigned to a detective and of any additional witness information obtained by investigations.
- Ofc. Crandall was an acting shift supervisor for an approximant one month period during this incident.

On 3/20/16 at 1000 hrs, I attempted to contact Mrs. Florence by phone (912-550-9797) in order to speak with her husband, Drayton Florence, but there was no answer and I left a message.

On 3/20/16 at 1149 hrs, Mrs. Florence returned my phone call and at that time I obtained Mr. Florence's phone number (912-550-3088) and tentatively arranged for a phone call that afternoon with Mr. Florence.

On 3/20/16 at 1426 hrs, I made contact with Mr. Florence by phone (912-550-3088) and due to Mr. and Mrs. Florence living in Jacksonville, Fl; I conducted the taped interview via phone in the communications center.

- Mr. Florence stated that he witnessed the incident.
- Mr. Florence stated that he did not offer any witness information.
- Ofc. Crandall did not ask for witness information.
- Mr. Florence knew the suspect.
- Mr. Florence came with his wife to the Police Department for the showing of the photo lineup but did not come into the PD with her.

Findings	Investigation of incident by Ofc. Crandall: 1. Ofc. Crandall's case narrative lacks detailed information for the battery that occurred on Mrs. Florence for the entire preliminary and follow up investigation conducted that evening by Ofc. Crandall. 2. There is no supporting evidence (Supplemental Narrative, Audio or Video Recordings) to determine what was said or done at the time of the initial report in order to affirm the testimony of Ofc. Crandall or Mr. and Mrs. Florence. o Ofc. Crandall states that he did ask for witness information. o Mr. and Mrs. Florence both state that Ofc. Crandall did not ask if there witnesses. o Mr. and Mrs. Florence both stated they did not offer witness information. o Ofc. Crandall states that Mr. Florence indicated that he did not have anything to offer as to witnessing the incident. o Mr. Florence stated that he did inform Ofc. Crandall that he witnessed the incident. o Ofc. Crandall stated that he did attempt to locate witnesses at Motel 6 and the suspect during the evening of the incident. 3. No photos were taken of the injury to Mrs. Florence's cheek which is a common practice for a simple battery (non domestic) based on the severity of the injuries. 4. Reviewing supervisors re-assigned Ofc. Crandall the case at the initial review of the case narrative and when supplemental narratives were done to inactivate the case. 5. Ofc. Crandall stated he called, via (912-550-9797), Mrs. Florence a couple times in an attempt to obtain witness information from Mrs. Florence after the initial report but received no information from her. His phone calls are confirmed by his phone records. 6. Follow Up Investigation: o Phone call from Ofc. Crandall's department issued phone to Ms. Florence phone (912-5509797) on 1/6/16 at 2335 hrs - The first supporting evidence for Ofc. Crandall's statement regarding conducting a follow up investigation to the case which is three (3) days after the initial report taken. Five (5) days later on 1/11/16 at 2352 hrs – Second documentation for Ofc. Crandall's statement regarding conducting a follow up investigation to the case. o Email documentation on 1/11/16 at 0258 hrs - Ofc. Crandall requested the assistance from the Investigation Division with a photo lineup and arranged a scheduled date and time for Mrs. Florence to meet with a detective. This is confirmed by the email correspondence between Ofc. Crandall, Sgt. Eades, J. Morrison, Det. Todd and Det. Bowman. Both Mr. and Mrs. Florence confirm this in their interview. 7. No supplemental narrative by Ofc. Crandall documenting his actions and/or statements made during the follow up investigation in an attempt to obtain witness information. 8. No supplemental narrative by Ofc. Crandall documenting his actions and/or statements during the follow up investigation in an attempt to locate the suspect in order to obtain the suspect's statement of the events that occurred the evening of incident. Sgt. Sommer's statement of misdirection of a narrative within the case: 1. The case remained assigned to Ofc. Crandall by the approving supervisors throughout the approval process. The case narrative was properly assigned back to Ofc. Crandall by the reviewing sergeant until 2/13/16. The case narrative was sent for an approving supervisor by Ofc. Crandall when he sent his supplemental narratives to inactivate the case which is not the proper procedure for an officer. The case narrative (controlling narrative for all cases within the system) is to be moved by a supervisor only. On 2/13/16, the history for the case narrative shows Sgt. Malone assigning the narrative back to Ofc. Crandall but is placed into the records basket. This may have been done inadvertently by the CIS system when sending the narrative from the in-flow box instead of from within the incident. The CIS system does not provide information to help determine how a case narrative is moved from its originating basket. 2. Ofc. Crandall moved a supplemental narrative to the records basket after a supervisor reassigned the case back to him. All supplemental narratives, once approved, are to be sent to the records basket. If a case is not approved for inactivation or closure the reviewing

	supervisors should be using case narratives and the supplemental narratives should be forwarded to the records basket. Denial of the inactivation or closure should be done via the case narrative. 3. Ofc. Crandall had supervisor authority at the time to move supplemental narratives. Supplemental narratives do not affect the assignment of a case. Placement of supplemental narratives into the records basket is the appropriate routing of those narratives. Ofc. Crandall had supervisor authority (acting supervisor) at the time the supplemental narrative was moved to the records basket and his actions were correct for his authorized level at that time. Additionally, Ofc. Crandall did not move the case narrative leaving the case assigned to him.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	✓
Violation(s): [illegible]	

Action Taken	

Signature	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 30 day of MARCH, 2016

Investigating Officer

T. Zachel #374
Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
McKeon	Mark "Mac"		11-17-67	C	M

Address:	Home Telephone No.:
822 NE 2nd St.	256-640-9372

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34470	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Maurice	Bridgette	Y	CSS II		

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Hale Cynthia	Sup V	CSS1	☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Whitston Kristen		
Additional Officers Involved: Snow Donald		
Additional Officers Involved:		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
SR 200 and CR475A Ocala	2-29-2016		855 Am

Reason for Contact: Vehicle Crash 20160004511 7

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I Recieved a call from my office mngr @ 900 Am Informing me of an accident involving one of our Dash Express vechiles. after Discussing Driver And Passenger Going to Hospital I informed The Supervisor To Be on scene and Request Tow Pro's To tow our Vehicle. At That Time the officers Refused To call our Contracted Tow co. and instead had Carl Johnson Towing Pick The Vechile up. This cost me $243.00 as opose To $50.00 with my contracted co.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 3-8-16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived:	Related Case Number(s):	Complaint No.:
Cynthia K Hale Supv	3/8/16		SI 005-16

Attachments (list): Tow Pro Letter of billing Statement, Receipt from Carl Johnsons, Email from dispatch (wrecker call times)

Supervisor Remarks:

After receiving the initial Complaint Regarding Crash # 20160004511 7 And doing my investigating I found that: The Request made by the person on Scene to have the Vehicle towed by Tow Pro's was not honored. I also found that no vehicle inventory form was Completed on the towed Vehicle

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
Cynthia K Hale	3/10/16		

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☑ Conduct Supervisory Inquiry (Assigned to Maurice)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 3/11/16

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): McKeon Mark		Employee's Name (Last, First, MI.):

Continuation of Complaint:

My GPS (TomTom weefleet) unit came up missing from the vehicle between the Accident and tow yard. When I Inquired about this to the tow co they informed me that someone in a "new" ford arrived on scene and Remove Items from the vehicle. Miraculously a day or two later the GPS happened Back in the vehicle. After speaking with tow PRO's, they Informed me that they could have been on scene within 7 Min of Being called By OPD. They were never called.

Complainant's Signature: [signature] Date: 3-8-16

Page _____ of _____

Ocala Police Department
Supervisory Inquiry

Number:SI005-16

Complainant	Mr. Mark Mckeon		Date Received	03/02/2016
Address	822 NE. 2nd Street St.		Time Received	3:30 p.m.
City/State	Ocala, Florida		Received By	Cynthia K. Haile
Telephone	Home: (256) 640-9327 Work: (Same)		Investigator	Supervisor C.K. Haile

Incident Location	SR 200/SW 27TH Avenue
Violation Alleged	Directive ***3.02 O(2)*** ***Unbecoming Conduct shall be deemed to be that class of offense which violates, or could violate the personal or property interest of the City, its citizens, or any individual employed by the City, and/or in the City's interest in maintaining an orderly and efficient work place and in providing quality law enforcement service. This violation will be utilized only when no specific prohibited act or required behavior can be addressed for violation which falls within Level 3***

Accused Employee(s): CSSII Bridgette Maurice
PO Kristen Whitston
PO Donald Snow

Summary of Complaint	On Wednesday 03/02/2016, I, Supervisor Cynthia Haile, made contact in the PD Lobby with Mark Mckeon who is the Director of Dash Transportation located in Ocala. On 02/29/2016, a vehicle crash occurred in the intersection of S.R. 200 and CR 475A, which involved the complainant company's vehicle. The complainant states that when one of the supervisors with his company arrived on the scene, she requested the tow company Tow Pros of Ocala. They are contracted to tow vehicles for their company. Using this company they would only be charged a $50 fee. The complainant alleges that the officers working traffic in the intersection refused to honor the request causing the complainant to be charged an excessive fee. The vehicle was towed by Carl Johnson's Towing from the Ocala Police Department's Wrecker Rotation list. In addition, the complainant also alleges that the GPS unit that was attached to the windshield of the involved vehicle came up missing between the scene of the crash and Carl Johnson's tow yard.

Investigative Summary	On Friday 03/11/2016, I was assigned to conduct a Supervisory Inquiry regarding the crash that occurred on 02/29/2016 at the intersection of SR 200 and CR 475 A. During my investigation I learned that CSSII Bridgette Maurice was dispatched as the primary unit along with Patrol Units Kristen Whitston and Donald Snow who were directing traffic in the intersection. After arriving on the scene a tow truck was called from the police department's rotation list due to heavy traffic congestion. At the time the request for the wrecker was made, it was unknown by any of the officers that the complainant used a specific tow company to tow his vehicle. I also learned that when the supervisor for Dash Transportation arrived on scene, she did not request for Tow Pro's to respond, she only told the officer that this was who their company used. When Carl Johnson's towing pulled up on the scene she understood that the roadway need to be cleared expeditiously. I also discovered that the driver of the Dash Transportation vehicle had the paramedic go inside the vehicle and retrieve her two cell phones and the GPS Unit from the windshield of the vehicle and place the property in her personal bag which she took to the hospital with her. The driver also stated that she returned the GPS Unit to the office of Dash Transportation two days after the crash.

Findings	To proceed with this investigation I conducted several interviews with the involved parties including CSSII Maurice. **Interviews:** 1. 03/18/2016 09:15 am -Codey Patrick Harris Tow Truck Driver (Carl Johnsons) 2. 03/18/2016 12:43 p.m. Paula Asheeka Amica Driver for Dash Transportation 3. 03/18/2016 2:46 p.m. Sherri Joe Thompson Supervisor Dash Transportation 4. 03/18/2016 3:14 p.m. Mark "Mac" Mckeon Owner /Complainant 5. 03/22/2016 08:57 a.m. Bridgette Maurice CSSII- Assigned officer/accused ***All interviews were held in the Special Operations Bureau Conference Room. Interviews were recorded and copied to disc (attached to complaint packet)*** My first interview was with Codey Harris, the driver of the tow truck from Carl Johnson's. According to the Tow Truck driver, all eastbound lanes of SR 200 and the northbound lanes of S.W. 27th Avenue were blocked due to the disabled vehicles. The heavy traffic had to be diverted using S.W. 20th Street just north of S.R. 200. This statement was corroborated by Sherri Joe Thompson the Supervisor for Dash Transportation and CSSII Maurice. Ms. Thompson also advised that once she arrived, Carl Johnsons' tow truck was pulling up to remove the vehicles from the roadway. She never made a request to either officer to call the tow company that Dash Transportation uses because she understood that the officers had already called for a tow company prior to her arrival. In regards to the GPS Unit that was attached to the windshield of the Dash Transportation vehicle: All three stated that they did not see the unit inside of the vehicle. However, the tow truck driver (Harris) did state that while he was clearing the roadway two females driving a newer SUV was parked next to the Dash transportation vehicle and were removing property. The two females were later identified as Sherri Joe Thompson, and a co-worker who gave her ride to the scene. During my investigation I also interviewed the driver of the Dash Transportation vehicle Paula Amica. Ms. Amica stated she never requested for any officer, including CSSII Maurice, to call Tow Pros for her vehicle. In fact she stated that she only mentioned it to a paramedic named "Craig" and she told him "I think we use Tow Pros". Ms. Amica stated that she asked the Paramedic "Craig" to go retrieve her two cell phones and the GPS Unit from her vehicle, and place them in her blue bag that accompanied her to the hospital. Ms. Amica returned the GPS Unit along with her doctor's excuse to the Office of Dash transportation two days after the crash.

After gathering information and interviewing all parties involved I find that no Department Policies or Department Directives were violated by CSSII Maurice and the other officers involved in this incident

Directive ***4.04 (B), (1) (c) (1)which states Crashes occurring on main roadways where the vehicles are immobilized or there is a delay in clearing the roadway caused by other circumstances, can be an endangerment to all traffic, including the traffic on roads with access to the main roadway. 1) Department personnel will take action to clear the roadways as soon as possible to avoid major traffic congestion.***
Each officer in my opinion behaved in a professional and prudent manner. They assured that the roadway was made clear for public use by keeping safety on the forefront of their actions. I also find that CSSII Maurice and the other officers did not deliberately deprive the business owner of Dash Transportation the opportunity of calling its contracted tow company being that at the time of the crash the officers were unaware that the business had a contract with another tow company.

Directive 6.08 (L) Vehicle Inventories
1. Officers shall immediately complete a Vehicle Inventory Report for each vehicle: Any towed vehicle whether or not a hold is placed for evidentiary purposes
a. Seized pending forfeiture proceedings
b. Is otherwise secured and for which a hold is placed

While on scene CSSII Maurice did fill out the correct vehicle tow form which is required according to the Department Directive. When the supervisor from Dash Transportation arrived on the scene she was allowed to unload the wrecked vehicle. She had full access to the car and assumed all responsibility for the vehicle and the contents therein. Therefore, no vehicle inventory form was required.

In the initial complaint made by Mr. Mckeon he stated that the GPS Unit from the wrecked vehicle was possibly stolen and that it "miraculously" appeared a few days later at the tow yard of Carl Johnson's. I find this allegation to be false. According to the driver of the Dash Transportation vehicle, Ms. Amica, while she was in the ambulance she had the paramedic go inside the vehicle and retrieve the GPS Unit as well as the two cell phones. On Thursday 03/03/2016, Ms. Amica states that she returned the GPS Unit along with her medical note to the office of Dash Transportation located at 1515 East Silver Springs Boulevard.

Lastly, Mr. Mckeon also states that Carl Johnson's tow company did overcharge him for the towing of his company's vehicle which I found to be factual. On Thursday March 10th 2016, I made contact in my office with Patrolman Charles Hunt who oversees the Tow Companies on the Police Department's Wrecker Rotation list. After giving Officer Charles Hunt the information/receipt I received from Mr. Mckeon, Officer Hunt was able to research and find that Carl Johnson's did in fact violate the City of Ocala Code of Ordinances "*Sec. 75-9. Maximum Rates for Towing and Storage* The owner of Carl Johnson's agreed to reimburse Mr. Mckeon the sum of $80.00 for the extra charge on his tow bill.

Attachments
- *(A)* Letter from Tow-Pros
- *(B)* Receipt of charges from Carl Johnson's Towing
- *(C)* Dispatch CAD Report of times
- *(D)* E-mail from Dispatch regarding wrecker request and times
- *(E)* Directive 4.04 (B), (1) (c) (1)
- *(F)* Directive 6.08 (L) Vehicle Inventories
- *(G)* E-mail from Charles Hunt regarding charges

Disposition	
Resolved with citizen and /or no further action deemed necessary	x
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Signature: _____

OK
4/6/16

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Smith	Myra	A	10-10-49	W	F

Address:	Home Telephone No.:
3150 NE 36th AV Lot 466	407-792-5019 Cell

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34479	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
MESSENGER	AARON		OFFICER	W	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
HOOPER	SGT		☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
LEIBFRIED EDWARD	RESERVE	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Stopped 2320 NE 2nd Street	3-18-16 FRIDAY	3-18-16	9:30-10 PM

Reason for Contact: Officers repremanded for unprofessional behavior

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary)

I was stopped as soon as I turned onto 2nd St from NE 22nd AV. I pulled over as soon as their lights came on. I had left church attending a womens conf went to Lees to buy feed. I rolled down my window partially and he asked me to roll back window down. He stated I was weaving. I was not. He made me to get out of car then walk on slippery leaves I was afraid of falling hurting my head after

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
DET M.A. Hoover	03-23-2016	2016000059637	

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
BIONDI	4-20-16		

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 4/21/16

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No:	I/A No.:
3-23-16	2016OU59(37)	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Smith, Myra A.	MESSENGER AARON

Continuation of Complaint:

almost killed being thrown from a golf cart busting my head several surgeries.
Then he wanted to know where I had been that day and asked if I could call someone to drive me home. My family were in bed. They said I could not drive. Intimadated me saying there was something in a bottle of candy tic tacs on seat in my car on psg side w my CK book and makeup bag. they said I had to leave my car they made me get in bk seat of officers car they intimadated me by repeating everything I said. They acted very unproffessional and put fear into me threatening me accussing me without proof. falsely accusing me. so I had no phone all night I told them I needed my car w phone charger.

Therefore due to their unproffesional behavior and actions toward me a single senior women they should be reprimanded. I called my atty and told me to report them. I would like to talk to someone ASAP
If they even thot I had done anything wrong of which I didnt they would have given me a ticket, warning instead of instilling fear and accussing me falsely and without PROOF.

Complainant's Signature	Date
Myra A Smith	3-23-16

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Myra A Smith realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 23 day of March, 20 16

By (Signature of Affiant) Myra A Smith

Personally Known ___, or Produced Identification _____, Type of Identification D.L.

Official Notary Signature of Law Enforcement Officer: Mat Hoover

Original of this form is to be attached to Inquiry/Complaint Form.

OPD CC-006-16

Complainant: Myra Smith

Investigator: Louis Biondi, Captain

3/25/16 @ 1050 hours: Spoke with Ms. Smith (telephone – 20 minutes) about her complaint and she advised she was unavailable to discuss the incident at length.

3/28/16 @ 1502 hours: Spoke with Ms. Smith (telephone – 28 minutes) about her complaint and she chose not to meet with this investigator; chose not to review the captured VIEVU footage of the incident; and further chose to rescind her complaint.

VIEVU footage captures Officers Messenger and Leibfried's interaction with Ms. Smith; it is absolutely contradictory to Ms. Smith's written complaint—the officers were courteous and kind throughout the entire event.

Due to Ms. Smith deciding to rescind her complaint, no further investigatory measures were taken by this investigator.

Action Ordered: Resolved by Supervisor

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Bowen	Ousha	S.	04/05/1969	Black	F

Address:	Home Telephone No.:
3950 SE 17th Court Unit D	(352) 796-6440

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34480	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hurst			Det.	White	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Sgt Buchbinder			☐ Yes ☑ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Ocala police dept	Friday	04/15/16	

Reason for Contact: det. Hurst

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I feel that Det. Hurst was unprofessional because he was giving me relationship advice in regards to my fiance James Pleas. He told me that I was caught up in a love triangle and needed to talk with James and tell him he need to choose sides as to who he wanted to be with. I only needed to be advised on the situation at hand not relationship advice

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 04/19/2016

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:
Sgt. J. Buchbinder.	2016-79596	

Attachments: (list):
INTERNAL MEMORANDUM.

Supervisor Remarks:

—PLEASE REFER TO THE SUBMITTED MEMORANDUM.—

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
[signature]	4/29/16		

Action Ordered: ☑ Resolved by Supervisor (Explanation Attached) ☐ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief/Designee: [signature] Date: 4/29/16

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature	Date

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Pleas	James	D	5/21/69	BLK	M

Address:	Home Telephone No.:
2915 SE 17th Court Unit D	(352) 544-5140

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34480	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hurst			Det.	White	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☒ No
Sgt. Buchbinder			

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Ocala police dept	Friday	04/15/2016	approx. 1:30pm

Reason for Contact: complaint concerning Detective Hurst

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary): Det. Hurst went through my phone and saw the text messages between Brenda Sutton and I and now she continuously called me to meet her places. Det. Hurst said that he wasn't going to investigate what Miss Sutton has been doing stated that he don't care about what she does just what he does even when it was Miss Sutton and her daughter calling & harassing me.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:
Sgt. J. Buchbinder	2016-795916	

Attachments: (list): INTERNAL MEMORANDUM

Supervisor Remarks:

– PLEASE REFER TO THE SUBMITTED MEMORANDUM. –

Supervisor Signature (ID No.):	Date:	Employee (Signature/ID No.):	Date:
	4/20/16		

Action Taken: ☐ Resolved by Supervisor (Explanation Attached) ☐ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 04/15/2016	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI): Pleas, James B. SR		Employee's Name (Last, First, MI): Herst, Detective

Continuation of Complaint:

I pleaded with Det. Herst in regards to my fiance being pregnant and asked if he would please give her the keys to my vehicle and he stated that, "he doesn't care and it sounds like a personal problem to me let her walk to the jail." I was never advised that Miss Sutton was a witness against me by Det. Herst. He just advised that I shouldn't call her. Never once was it said that I couldn't have any contact with Miss Sutton.

Complainant's Signature	Date: April 19, 2016

MEMORANDUM

TO: Rodney Smith, Deputy Chief.

DATE: April 19, 2016.

SUBJECT: Citizen Complaint.

FROM: Jamie Buchbinder, Sergeant
Ocala Police Department.

On Monday, April 18th 2016, I received an email from Lieutenant L. Whitston concerning a complaint that was fielded the previous evening (Sunday, April 17th). The email from Lt. Whitston stated Aiesha Bowen called to report that Detective Hurst arrested James Pleas for tampering with a witness. She stated that the witness/victim was calling family members of Mr. Pleas and harassing them. She requested Detective Hurst contact the woman and make the calling stop. The message also stated that Bowen was "upset" because Detective Hurst gave her personal advice about her relationship with Mr. Pleas, which she deemed unprofessional. Being unfamiliar with the case, Lt. Whitston asked that I call Mrs. Bowen regarding her complaint.

I called Aiesha Bowen on the same day I received the message from Lt. Whitston at 1:45 PM. I introduced myself and explained my reason for calling her. She informed me that first and foremost, she was upset that Detective Hurst would not give her a set of car keys that belong to Mr. Pleas. I was aware that Detective Hurst arrested and interviewed Pleas on Friday (April 15th). I was also aware that Pleas had his vehicle keys in his possession when he was arrested. I was also present in the department atrium when Bowen came to the police department and asked to speak with Detective Hurst. I explained the department policy concerning the release of personal property and the fact that his property had to be delivered to the jail incident to his arrest. Bowen was upset, and stated she had no way to get to the jail to retrieve the car keys from Mr. Pleas' property. I was aware that Detective Hurst offered to call a taxi or a friend on her behalf to arrange her transport. Bowen left the police department stating she had no money for a cab and no one to call to drive her to the jail.

When talking with Bowen, she appeared satisfied that Detective Hurst was following protocol concerning the release of Mr. Pleas property. She added that she felt Detective Hurst was unprofessional when giving her advice concerning this situation. Bowen stated that the witness/victim in the mentioned case had also been calling and harassing her and she wanted it to stop. I informed her that Detective Hurst had contacted the individual (Mrs. Brenda Sutton) as she requested, and told her to have no further contact with Bowen or Pleas. It should be noted that Sutton provided information and evidence that led to Pleas being arrested for the burglary, grand theft and felony criminal mischief at Phillips Chrysler. Sutton and Pleas were also involved in a romantic relationship. Bowen informed me that she had sought an injunction for protection against Brenda Sutton on two occasions and the hearing judge denied the petitions. I advised Bowen to keep a record of the calls and if the pattern of harassment continued, we could pursue a criminal complaint.

On Tuesday, April 19th, I was called by Sgt. Zadnik and informed Aiesha Bowen was in the lobby and wished to file written complaints from herself and Mr. Pleas against Detective Hurst. I met with her in person and received the complaint forms.

04/20/16

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Cooper	China	M	9-18-80	W/B	F

Address:	Home Telephone No.:
3849 NE 5th St.	(352) 587-1603

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34470	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Rodriguez	DANIEL				M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
DUSTIN KEUNTJES	SGT		☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
2717 SE 17th St apt B	SATURDAY	4/2/16	1714

Reason for Contact:
Neighbor's company threatened to leave get a gun & come back

Remedy Sought:
To get help was scared for self & fam

Statement of Complaint: (Use additional sheets if necessary)
I had called 911 because my neighbors company was leaving & he told my company not to video tap him well no one was recording him. TJ my company was sitting in his girlfriend Jennifer's SUV on the phone on facebook well the man had words with TJ & told him he was leaving to get a gun. I got scared & called 911 it took at least 30-45 min for officer Rodriguez to show when he did he was rude

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: China Cooper	Date: 4-18-16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
SGT B. MYRICK	4/21/16	2016007081	SI 008-16

Attachments: (list): MEMO, COPY OF CAD

Supervisor Remarks: SEE MEMO

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
B. Myrick	4/26/16		

Action Ordered:
- ☐ Resolved by Supervisor (Explanation Attached)
- ☑ Conduct Supervisory Inquiry (Assigned to Sergeant)
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 4/27/16

Professional Standards (Signature):	Date Filed:	I/A Number:
F Gadek #770	4/27/16	008-16

Ocala Police Department
Supervisory Inquiry

Number: SI 008-16

Complainant	China Cooper		Date Received	04/21/16
Address	2717 SE 17th Street Apt. B		Time Received	1900
City/State	Ocala, Florida		Received By	Sgt. B. McBride
Telephone	Home: (352) 587-1603 Work:		Investigator	Sgt. D. Keuntjes

Incident Location	2717 SE 17th Street Apt. B Ocala, Fl
Violation Alleged	3.02(Q)(20) Members shall treat superior officers, subordinates, associates, and citizens with respect. When meeting in public while on duty, officers shall refer to each other by rank.

Accused Officer(s): Ofc. Daniel Rodriguez

Summary of Complaint	During a preliminary investigation of a reported Assault, (201600070181) while gathering statements and information, you were rude and argumentative towards Ms. China Cooper. You refused to allow the complainant to speak without interrupting her and were bias towards her by taking the other party's side. During your investigation, you questioned Ms. China Cooper regarding her involvement with the Unified Drug Enforcement Strike Team and whether she was a paid informant for them, jeopardizing her and her family's safety.

Investigative Summary	Ofc. Rodriguez was given the Supervisory Inquiry Form, Complaint Reception Form, LEO Bill of Rights Form and Garrity Form. I first reviewed the CAD report to #201600070181. • The CAD indicates that the caller/complainant, Ms. Cooper, was reporting that the neighbor had threatened to leave and go get a gun and that there was a smell of marijuana coming from the neighboring residence. • Ofc. Rodriguez imputed that the alleged assault was unfounded. He then indicated the complainant refused to prosecute or provide persons information. • Ofc. Rodriguez imputed that Ms. Cooper indicated that drug activity was coming from the neighbor's residence. Ofc. Rodriguez unfounded that by making contact with the neighboring residence. • Ofc. Rodriguez imputed that Ms. Cooper "Could be S-20 due to prior drug use." • Ofc. Rodriguez imputed that Ms. Cooper continues to harass the neighbors and the landlord has begun the eviction process for Ms. Cooper. • The incident took place at 2717 SE 17th Street Apt. B.

On 05/09/16 at 17:37 hrs, I conducted a taped interview with Ms. China Cooper at her residence.

- During my conversation Ms. Cooper explained an incident involving two individuals, one whom she was friends with, in the parking lot in front of her residence.
- Ms. Cooper indicates that Ofc. Rodriguez was the only officer to respond.
- Ms. Cooper stated that her biggest complaint was from the moment Ofc. Rodriguez arrived, he was he was very rude with her and her company.
- She stated that Ofc. Rodriguez appeared to take sides, siding with the neighbors.
- Ofc. Rodriguez accused her of calling the police department earlier in the day, which she states she did not. He gave the impression that she was a liar.
- She advised that she has called in complaints on previous days due to the smell of marijuana coming from the neighbor's residence.
- She stated that she had the feeling that Ofc. Rodriguez knew the other party by the information they were indicating they knew about her.
- Ms. Cooper stated that while Ofc. Rodriguez was on scene, he allowed the two parties to erupt into a heated verbal argument. She complained that he didn't attempt to stop it.
- She stated that Ofc. Rodriguez told her that he went inside the neighbor's house and didn't smell any marijuana or any drug paraphernalia.
- Ofc. Rodriguez didn't solve the issue. Just stated that it was unfounded.
- She said that Ofc. Rodriguez asked her if she was an informant. She asked him why he asked if she was a paid informant. She said that he advised her that if she was, she wouldn't have told him.
- Ms. Cooper was preparing to move prior to that day. However, Ms. Cooper broke the lease to get out of the residence sooner claiming this was because of Ofc. Rodriguez's questions in front of the neighbors.
- She indicated that she was forced to pay $1000.00 to break the lease.
- She voiced concern regarding the fact that the neighbors knew the date that she was originally planning on moving out. She stated that she only told the Ofc. Rodriguez that date. She claimed that she believed that Ofc. Rodriguez must have spoke to the neighbors.
- Ms. Cooper felt that she was in fear for herself and her family's safety because of them knowing her involvement with the drug task force. Especially because she has young children at home and her husband works during the day.
- She stated that Ofc. Rodriguez handled the situation poorly. She felt threatened by Ofc. Rodriguez, intimidated by her neighbors and that he was a "dirty cop."
- She stated that she really wanted to know why Ofc. Rodriguez felt it necessary to ask if she was a paid informant. Again expressing that she was in fear.
-

On 5/11/16, I conducted a review of Ofc. Daniel Rodriguez's VieVu body camera at the Ocala Police Department.

- Ofc. Rodriguez appeared argumentative towards both Ms. Cooper and a second white male known only as "TJ."
- Ofc. Rodriguez argues with Ms. Cooper regarding a disagreement on whether she called the police department earlier in the day.
- Ofc. Rodriguez did not give Ms. Cooper an opportunity to answer questions he asked by interrupting her and appearing frustrated.
- Ofc. Rodriguez asked Ms. Cooper if she worked for UDEST in presence of others.
- Ofc. Rodriguez told neighbors that he would trespass "TJ" however never got "TJ's" information.
- Ms. Cooper states that OPD is probably tired of her calling regarding the drug complaints. Ofc. Rodriguez agrees with her.
- Ofc. Rodriguez asks Ms. Cooper if she is a paid informant in presence of others.
- Ofc. Rodriguez tells Ms. Cooper that they (him and Ms. Cooper) are arguing over things that are probably not true referring to a UDEST investigation.
- When Ofc. Rodriguez speaks with the neighbors, his demeanor changes completely. He

appears relaxed and positive.

- Ofc. Rodriguez tells the neighbors that Ms. Cooper has personal issues going on.
- While on the telephone with an alleged suspect, Ofc. Rodriguez tells him that the complainant stated that he was pushed by the man on the telephone. That was not said during his interview with "TJ."
- Ofc. Rodriguez tells the man on the telephone that he's not going to do anything about the case. Stating that there are civil issues.
- Ofc. Rodriguez never asks any of the individuals from the neighbor's residence any questions associated to the allegations that Ms. Cooper and "TJ" made.
- Ofc. Rodriguez turns off his VieVu camera while still in contact with the neighbors, within their apartment.
- "TJ" declines to pursue charges and does not provide his persons information.
- Ofc. Rodriguez tells "TJ" that the neighbors are being harassed. Telling him that she calls the police department every day.

On 5/11/16, I conducted a sworn taped interview with Ofc. Rodriguez with his representive Michael Diesso present. Ofc. Rodriguez was given the Bill of Rights for LEO and Garrity Warning (signed for said Garrity Warning).

- Ofc. Rodriguez has never had contact with Ms. Cooper or any of the individuals involved prior to 4/2/16.
- Ofc. Rodriguez stated that his VieVu malfunctioned initially. He stated that he spoke with the neighbors (a male and female). She contacted her landlord and handed the phone to Ofc. Rodriguez.
- Ofc. Rodriguez gathered some initial information regarding the alleged assault.
- Ofc. Rodriguez stated that Ms. Cooper's demeanor created confrontation between the two of them.
- Ofc. Rodriguez blamed his lack of experience as his reason for his investigative skills in combination with being frustrated.
- Ofc. Rodriguez stated that after reviewing the video he was irritated and that there was some confrontation between them. He observed his flaws and mistakes. He stated that there was a lot of improvement that could be done on his part.
- Ofc. Rodriguez mistaken the days regarding when Ms. Cooper called police. He stated he was frustrated and that she (Ms. Cooper) got the best of her.
- Ofc. Rodriguez stated he did not handle the situation professionally. He became argumentative them more frustrated he became.
- Ofc. Rodriguez advised that he could understand how his actions could be perceived as bias by Ms. Cooper.
- Ofc. Rodriguez stated that he received a call from DCF about one week later regarding an investigation on Ms. Cooper. On or about that day, Ofc. Rodriguez went back to the neighbors residence to check on them to see how they were doing since Ms. Cooper had relocated to a new address.
- Ofc. Rodriguez made no attempts to contact Ms. Cooper.
- Ofc. Rodriguez stated that he used bad choices of words while communicating with Ms. Cooper.
- Ofc. Rodriguez agreed that his demeanor was different in the way he treated the neighbors compared to Ms. Cooper. He stated again that he made a lot of mistakes.
- Ofc. Rodriguez stated that he made a mistake by telling the man on the telephone that "TJ" said that the man pushed him.
- Ofc. Rodriguez regretted not being more professional throughout the incident.
- Ofc. Rodriguez felt that Ms. Cooper was making false complaints and her statements were inconsistent. He felt there was a secondary motive for her calling the police there that day.
- Ofc. Rodriguez stated that she was openly talking about her conversations with Ofc. Camacho.
- Ofc. Rodriguez stated that he asked Ms. Cooper if she was a paid informant out of frustration.

	• When asked if he was concerned about the risk to Ms. Cooper by revealing she was an informant, he stated that he knows them now after reviewing the video and speaking to officers. • Ofc. Rodriguez stated that he believed that peace was restored prior to him leaving. • Ofc. Rodriguez based his reasoning for listing her as possibly mentally ill was because of her prior drug use. • Ofc. Rodriguez stated that he turned off his VieVu while he was still in the residence because he didn't feel the discussion turned to what he described as information that wasn't pertinent to the investigation. • Ofc. Rodriguez stated that he is familiar with the department's directives governing body cameras. • Ofc. Rodriguez stated that his investigative skills declined out of frustration. • Ofc. Rodriguez stated that while he was talking to Ms. Cooper prior to leaving he realized that he was making a lot of mistakes throughout the whole investigation. He was trying to fix his mistakes. He attempted to smooth things over and fix the damage that he had already caused. He again stated that he was frustrated. • Ofc. Rodriguez stated that he was rude to Ms. Cooper. • Ofc. Rodriguez stated that he was unprofessional. • Ofc. Rodriguez stated that he was argumentative with Ms. Cooper. • Ofc. Rodriguez stated that he made a mistake and allowed Ms. Cooper to get him frustrated. He stated that this lead him to conduct himself in an unprofessional manner. He stated that he is better than what he represented that day. Ofc. Rodriguez stated that he should get more experience though training, possible human diversity training. He attributed only being on the road approximately six weeks and never encountered a situation like this. • Ofc. Rodriguez stated that he feels that he is fit for duty.

Findings	Investigation of incident by Ofc. Rodriguez: 1. Ofc. Rodriguez's CAD narrative lacks detailed information for the incident that occurred on 4/2/16 for the entire preliminary investigation conducted by Ofc. Rodriguez. 2. Reviewing the VieVu video, Ofc. Rodriguez showed unprofessionalism towards Ms. Cooper. 3. Several times, Ofc. Rodriguez did not provide the quality of service this department expects from their officers driven by the guidance of policy and procedures. 4. Ofc. Rodriguez was very demeaning towards Ms. Cooper throughout his contact with her. 5. Ofc. Rodriguez falsely accused Ms. Cooper of being mentally deficient due to prior substance abuse. Ms. Cooper's statements have remained the same and accurate and corroborated by the VieVu video even weeks after the incident. Prior to the interview with Ms. Cooper, she elected to not review her complaint form yet her recollection of the incident was accurate. 6. Ofc. Rodriguez showed blatant bias between Ms. Cooper and other individuals interviewed. This was proven by his argumentative approach to Ms. Cooper and his lack of concern to her side of the story. He was not receptive to anything Ms. Cooper alleged. 7. Ms. Cooper was in real fear for her and her family's safety after the events that transpired that day. She broke her lease and moved to a new residence just days after the incident. 8. During the days leading up to the move, Ms. Cooper made arrangements to stay elsewhere out of fear of the repercussions of her affiliation with UDEST.

Disposition	

	Resolved with citizen and /or no further action deemed necessary	
	Forward to Professional Standards for further investigation	
	Issue to be resolved by Court	
	Exonerated	
	Unfounded	
	Not Sustained	
	Sustained	✓
	Violation(s): 308.(a).(20)	✓

Action Taken	[illegible]

Signature	[illegible]	Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 11th day of MAY, 2016

Investigating Officer

#523

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Vieira	Cindy		7-18-80	W	F

Address: 6663 NW 60th ST. — Home Telephone No.:

City: Ocala — State: FL — Zip: 34482 — Work Telephone No.: (352) 207-0933

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Swartout	STAN		OFC	W	M

Supervisor (Name): SGT Bonner — Rank: Sgt — ID No.: 52 — Supervisor on Scene: ☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident: New leaf Center — Day of Incident: 4-18-16 — Date of Incident: (Monday) — Time of Incident: 9:30 AM ?

Reason for Contact:

Remedy Sought: NOTIFICATION TO SUPERVISOR

Statement of Complaint: (Use additional sheets if necessary):

On 4-18-16 I was threatened by another staff member, he stated that he was going to "punch me in my fucking face." When I heard that I asked him what he said to where he repeated himself and pushed me into a door right in front of officer Stan. I pushed him back and as he was getting ready to push me again my student became involved.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate — Complainant Signature: [signature] — Date: 4-21-16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
C. EADES	4-27-16	2016-84046	009-16

Attachments: (list):

Supervisor Remarks: SPOKE TO THE COMPLAINANT ON 4/28/16 AND EMAILED HER THIS FORM WITH INSTRUCTIONS ON HOW TO RETURN IT. I THEN CALLED OFFICER SWARTOUT AND WE MET IN PERSON TO DISCUSS THE INCIDENT I GAVE

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
R. D Bonner #1709 52	4/28/16		

Action Ordered:
☑ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 4/28/16	
Professional Standards (Signature): [signature]	Date Filed: 04/28/16	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 4/21/16	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): VIEIRA, CINDY		Employee's Name (Last, First, MI.): SWARTOUT, STANLEY

Continuation of Complaint:

STATEMENT OF SGT. R.D. BONNER

OFFICER SWARTOUT INSTRUCTIONS TO CONDUCT AN INTERVIEW WITH ALL PARTIES AND WITNESSES AND TO DOCUMENT THIS REPORT AS EITHER A BATTERY OR DEPARTMENT INFORMATION. THIS MEETING OCCURRED AT APPROX 0820 HRS. AT 1100 HRS I MET MS. VIEIRA IN THE FRONT LOBBY AND RECEIVED THIS COMPLAINT FORM. I EXPLAINED WHAT HER NEXT STEP WOULD BE TO CONTACT THE S.A.O. AND SET UP AN INTERVIEW. I THEN CALLED OFFICER SWARTOUT TO GET HIS CASE NUMBER. HE ADVISED HE HAD NOT PULLED A CASE. I TOLD HIM HE NEEDED TO AND HE ADVISED HE REALLY DIDNT HAVE A CASE. I ADVISED HIM SEVERAL TIMES THAT HE NEEDED TO WRITE UP THIS REPORT, WHICH WAS ANSWERED WITH EXCUSES AS TO WHY HE COULDN'T AND HADN'T. I THEN ORDERED HIM TO PULL A CASE AND TO WRITE A REPORT.

AT 1500 HRS I REVIEWED THE REPORT WRITTEN BY OFC. SWARTOUT AND ASSIGNED IT BACK TO HIM FOR FOLLOW UP (VICTIM STATEMENT) ON 4/25/16. I OBTAINED A WRITTEN STATEMENT FROM MS. VIEIRA AND ADDED TO REPORT. I ALSO CONTACTED OFFICER SWARTOUT AND ASKED FOR WRITTEN STATEMENTS FROM THE OTHER PARTIES.

ON 4/26/16 I SPOKE TO MS VIEIRA SHE IS SATISFIED THAT A REPORT HAS BEEN WRITTEN AND SHE HAS BEEN REFERRED TO THE S.A.O NO FURTHER ACTION IS REQUESTED OTHER THAN THIS DOCUMENTION.

R.D. Bonner

Complainant's Signature: N/A	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Cindy Viera realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 19th day of April, 20 16.

By (Signature of Affiant) Cindy Viera

Personally Known _____, or Produced Identification ✓, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer: F. Zadnik #3701

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Robin Ford, Major

DATE: April 27, 2016

SUBJECT: Discipline Action

FROM: J. C. Green Jr., Captain JG

4/28/16

Please review the attached memorandum, Incident Report and Complaint Reception Record in the consideration of a discipline action regarding Officer Stan Swartout's actions.

I was made aware of this incident on Thursday April 21, 2016 when Sergeant Robie Bonner met with me. Sergeant Bonner explained to me that at approximately 0800 hours (April 21, 2016) he received a complaint from a citizen, Mrs. Cindy Viera, alleging that Officer Swartout refused to document a criminal event in which she claimed to be the victim. Sergeant Bonner spoke with the complainant on the phone and electronically delivered a Complaint Reception Record to her. Sergeant Bonner went on to explain that he spoke directly with Officer Swartout on the phone and in person several times over the course of the next two hours regarding the officer writing the report and gathering witness statements.

The complainant arrived at the police headquarters at approximately 1048 hours and delivered the hand written Complaint Reception Record to Sergeant Bonner. Sergeant Bonner contacted Officer Swartout to obtain the case number for the incident so that he could assist the complainant with follow through instructions and referring her to the State Attorney's Office for prosecution consideration. Sergeant Bonner reported that during this phone contact he learned that Officer Swartout had not written the report nor obtained a case number for the event. Sergeant Bonner went on to explain that Officer Swartout began to offer argument and suggested that no report needed to be written. Officer Swartout failed to follow the earlier direction of his sergeant. He obtained the case number for the incident at 1054 hours after having been given a "direct order" to do so. In furtherance of Sergeant Bonner's direction to Officer Swartout, the officer was instructed to utilize his body worn camera system while interviewing the Mrs. Viera and to obtain written statement s from others involved in the incident.

Sergeant Bonner forwarded a memorandum to me suggesting Officer Swartout be disciplined in regards to a violation of a Department Directive 3.02 as it relates to Required Behavior 3.02 (Q)(14) in that: *Members shall obey all lawful orders, and directions either oral or written, given by supervisory officers, including lawful orders to answer questions relating to police investigations or activities, even if such order is relayed from a superior by an employee of the same or lesser rank.* While Officer Swartout's willful disregard to the sergeant's direction is unacceptable, it is compounded by the fact that he has not submitted any written statements of witnesses nor has he submitted any video evidence of an interview with the victim however, he has submitted a written statement by the victim. I have reviewed the Incident Report submitted by Officer Swartout and find his statement of the incident to be lacking in professionalism and objectiveness. While reading the officer's narrative it is abundantly clear that he doesn't believe a crime was committed and has clearly articulated in his statement that he has argued that opinion with his sergeant.

After consideration of the outlined information, I am convinced that Officer Swartout has failed to follow lawful and reasonable direction provided to him by his supervisor Sergeant Robie Bonner. His failure to follow direction has inconvenienced Mrs. Cindy Viera and brought discredit upon himself and the Ocala Police Department. I respectfully suggest that he is in violation of Department Directive 3.02(Q)(14) as it relates to Required Behavior in that: Members shall obey all lawful orders, and directions either oral or written, given by supervisory officers, including lawful orders to answer questions relating to police investigations or activities, even if such order is relayed from a superior by an employee of the same or lesser rank. I have reviewed the disciplinary file recorded on the department's share drive, and while I found no entries for Officer Swartout, I respectfully suggest that a suspension for a period of eight (8) hours be considered in light of the fact the officer still has not complied with the sergeant's order.

In regards to Mrs. Viera's complaint against the officer, the complaint has been resolved as an Incident Report has been drafted and is available for consideration by the State Attorney's Office for prosecution consideration.

If I may be of further assistance into this matter please let me know.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
CAVE	BRANDON	D.	6-5-55	BLK	M

Address:	Home Telephone No.:
7231 NW Hiway 225-A	352-351-5754

City:	State:	Zip:	Work Telephone No.:
Ocala	FLA	34482	cell 352-843-7210

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
1736 NW MLK JR AVE	4/26/16 (TUES)	4/26/16	Approx 4:30 PM - 5:10 PM

Reason for Contact: Domestic Violence, Assault, Verbal Threat of Violence, Intimidation

Remedy Sought: Response time of OPD to complaints of Violence + Discuss to Victims. + Return Call from Shift Supv.

Statement of Complaint: (Use additional sheets if necessary):

The response time from OPD after a 911 call was made was deplorable (in excess of 30 mins) after (2) two phone calls to 911. Also complainant requested to speak with Shift Supv but as of 4/27/16 10 AM no Supv has spoken with him.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Apostle Brandon D. Cave Sr. Date: 4/27/16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived:	Related Case Number(s):	Complaint No.:
SGT R.D. BONNER	4/27/	2016000097617	CC010-16

Attachments: (list):

Supervisor Remarks:

MR CAVE CAME INTO THE LOBBY TO VOICE A CONCERN. HE ADVISED THAT ON 4/26/16 AROUND 1600 HE CALLED 911 TO REPORT A MAN CHOKING A WOMAN. IT TOOK 40 MIN TO RESPOND. I LOOKED FOR A REPORT BUT COULD ONLY FIND A CAD

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
- ☑ Resolved by Supervisor (Explanation Attached)
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to _____)
- ☑ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 4/28/16

Professional Standards (Signature):	Date Filed:	I/A Number:
Sgt. 57	5/18/16	N/A

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 4/27/16	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): CAVE, BRANDON		Employee's Name (Last, First, MI.):

Continuation of Complaint:

I SAW THAT OFFICER TJ WATTS WAS ASSIGNED. I DID NOT SEE ANY OFFICER COMMENTS IN THE CAD REPORT, NOT SURE IF I'M ABLE. THERE IS AN ENTRY THAT MR. CAVE MADE TWO REQUEST TO TALK TO A SUPERVISOR. MR CAVE ADVISED THAT NO ONE EVER CALLED HIM.

THIS IS NOT A COMPLAINT ON AN OFFICER. HE WANTED TO KNOW WHY IT TOOK SO LONG TO RESPOND AND WHY A SUPERVISOR NEVER CALLED HIM.

Complainant's Signature	Date

MEMORANDUM

TO: Rodney Smith, Deputy Chief of Police

DATE: May 9th, 2015

FROM: M. K. Sommer Jr., Sergeant
Ocala Police Department

SUBJECT: Resolution of CC 010-16

Please accept this memorandum as notification from the Office of Professional Standards that the status of CC 010-16 is resolved at the supervisor level.

On 04/27/16, complaint CC 010-16 was received from Brandon Cave in reference to the handling of a call for service he telephoned in and the response time involved in the call. The complaint was forwarded to the Office of Professional Standards where it was assigned to me for action. After reviewing the complaint, I reviewed all the documentation provided including the actions outlined by Communications Manager Gronlund in her memorandum. After the review, I determined there was no malicious intent on any Ocala Police Department employees' part and the incident was a series of mistakes due to inexperience on CT Lee's part and the circumstances of the CIS outage/upgrade that took place on the day this incident was telephoned in.

On 05/09/16, I spoke at length with Mr. Cave about the incident. I was able to explain the situation and the mistakes that were made. We spoke of the counseling CT Lee received so that an error like this does not repeat itself. Mr. Cave was very satisfied with the explanation and the apology I tendered on behalf of the Department. He agreed the complaint had been resolved to his satisfaction and could be closed.

As always, should you require any further information in reference to this complaint, please contact me at your convenience.

MS/ms
Attachments:

1. Original Complaint Form
2. OPD Incident Report for Case 201500087617
3. OPD CAD 201600087617
4. Communications Manager Gronlund Memorandum
5. Sgt. Bryant McBride Email

51016

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Fugate	Christopher	J	5/31/55	W	M

Address:	Home Telephone No.:
5761 SW 14th Ave	352-613-5720
City: Dunnellon / State: FL / Zip: 34432	Work Telephone No.:

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Colyer	JANETTE		OFFICER	H	F

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
MAT BOS	SGT.		☐ Yes ☑ No

Additional Officers Involved:	Rank:	ID No.:
MALAYA WOODS	OFFICER	
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
City Hall of Ocala	Friday	5/5/16	9am

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

On Friday, April 5th 2016 I approached Officer Colyer on my way up to the 2nd floor of City Hall. Officer Colyer was standing in the lobby and greeted me. Officer Colyer came up to me and asked me what I had in my hand. I told her that I had just signed in to see Officer Woods. I went to hand her my ID to show her what I had signed in for. She told me that I would have to leave my ID with her. I told her that I needed my ID to get back to the parking garage. She told me that I would have to leave my ID with her. I asked her what about the [illegible] and she told me that I would have to leave my ID with her.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date: 5/5/16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received	Related Case Number(s):
Lt. Brian Young	05/04/16	2016001591107 SI-011-16

Attachments: (list):
NARRATIVE FROM 2016001591107

Supervisor Remarks:
I WAS ASKED TO LOOK INTO THIS COMPLAINT ON 05/05/16. I MET WITH MR. FUGATE THAT AFTERNOON, SPOKE WITH HIM AND PROVIDED HIM WITH THIS FORM, WHICH HE TURNED IN TODAY. HIS MAIN CONCERN WAS THAT THE CASE WASN'T GIVEN THE PROPER ATTENTION IT DESERVED AND WASN'T BEING INVESTIGATED HOLOGRAPHY. (CONT).

Supervisor (Signature/ID No.):	Date: 05/05/16	Employee (Signature/ID No.):	Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☑ Conduct Supervisory Inquiry (Assigned to Young, B.) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 8/12/16
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
05/05/16		
Complainant's Name (Last, First, MI.):		**Employee's Name (Last, First, MI.):**
Fugate, Christopher, T		CABRERA, J.

Continuation of Complaint:

could not move from the City Commons. She seemed very approachable. I responded that I doesn't care what it is why I was calling here. I asked her how was it possible that the person who did all this would let you into my home which seemed to make her appreciate even more. She replied nicely I close by told you. I told her how I was in fear for my life and how I had the right to defend myself and that how was the person who pointed the gun at me. She seemed sorry I told her if I had defended myself then maybe someone would investigate it, to which she replied "well Maybe you should have" I was very upset by her lack of professionalism and her unwillingness to help

(IT. UPON CONT.) OFFICER CABRERA WROTE THE CASE AS A "DEPARTMENT INFO" BASED ON (I ASSUME) HER CONTENTION THAT FUGATE DID NOT WISH TO PURSUE CRIMINAL CHARGES, A POINT HE CONTENDS IS NOT ACCURATE. SECONDLY, HE CONTENDS THAT THE OFFICER WAS UNPROFESSIONAL AND SHOWED A LACK OF CONCERN ABOUT THE CASE. FUGATE SAID HIS TRUCK WAS DAMAGED BY THE SUSPECT PREVENTED IT.

I WENT TO THE MATRESS WAREHOUSE AT THE CORNER OF W. SR40 & 27TH AVE AND LEARNED THAT THEIR CAMERAS COVER THE FRONT AND SIDE OF THE BUSINESS AND PORTIONS OF THE ROADWAY, A FACT THAT OFFICER CABRERA WOULD BE AWARE OF IF SHE HAD ASKED.

I ASKED SGT. BOS TO HAVE CABRERA UPGRADE THE CASE TO AN AGGRAVATED ASSAULT AND WILL REQUEST THE CASE BE FORWARDED TO ISB FOR FOLLOW-UP. I LISTENED AT CABRERA'S VICTIM OF HER CONVERSATION WITH FUGATE. ONLY A PORTION OF THEIR CONVERSATION WAS RECORDED, BUT THAT PORTION APPEARED TO BE CORDIAL.

FUGATE WILL BE SATISFIED IF THE CASE IS THOROUGHLY INVESTIGATED AND THE OFFICER'S APPARENT LACK OF CONCERN IS ADDRESSED AT THE SUPERVISORY LEVEL. KNOWING THAT FUGATE WORKS AT CITY HALL AND HAS CONTACT WITH CERTAIN OFFICIALS, OFFICER CABRERA SHOULD HAVE PUT FORTH MORE EFFORT. NOTHING IN OFFICER CABRERA'S NARRATIVE ADDRESSES FUGATE BEING IN FEAR, A NECESSARY ELEMENT OF AN ASSAULT. (CONT.)

Complainant's Signature	Date

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
08/05/16		

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
FUGATE, CHRISTOPHER J.	CABELLA, J.

Continuation of Complaint:

(LT. YOUNG, CONT.)

FUGATE TOLD ME THAT HE WAS IN FEAR THAT THE SUBJECT WAS GOING TO SHOOT HIM. REGARDLESS OF WHETHER FUGATE ULTIMATELY WANTED TO "PURSUE CRIMINAL CHARGES" OR NOT HAS NO BEARING ON WHETHER THE ELEMENTS OF AGG. ASSAULT WERE ALLEGEDLY COMMITTED.

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Christopher Fugate realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 9th day of August, 20 16.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification ✓, Type of Identification City of Ocala I.D.

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department
Supervisory Inquiry

Number:

Complainant	Christopher J. Fugate		Date Received	08/09/2016
Address	8261 SW 140th Ave		Time Received	0900
City/State	Dunnellon, FL		Received By	Lt. B. young
Telephone	Home: (352) 613-5720 Work:		Investigator	Lt. B. Young

Incident Location	2700 block of W. SR 40
Violation Alleged	Unsatisfactory Actions shall include that which brings the Department into disrepute or reflects discredit upon the person as a member of the Department or that which impairs the operation or efficiency of the Department or member. This violation will be utilized only when no specific prohibited act or required behavior can be addressed for violation and falls within Level 2 of the Disciplinary Matrix.

Accused Officer(s):

Officer Janette Cabrera

Summary of Complaint	Christopher Fugate reports that on 08/05/16, while enroute to his job as a security officer at City Hall, he was accosted by an unknown subject in traffic in the 2700 block of W. Silver Springs Blvd. He reported that the subject pointed a handgun at him, and that he in turn pointed his handgun back at the subject. Mr. Fugate stated the subject punched the side of his truck (causing minor damage) and attempted to strike him with his hand/fist as he was seated in his truck after he pulled off the roadway to call police. Officer Cabrera took the report from Fugate, who alleges that Officer Cabrera told him that nothing could be done about the incident. When Fugate questioned her about why, he alleged that she responded angrily and demonstrated an unprofessional attitude. The case was written as a "Departmental Information" and closed as an incident, citing an assertion that Fugate did not wish to pursue criminal charges. Fugate denied he told the officer that he didn't want to pursue the case. Upon receiving this complaint, I asked Sgt. Bos to have Officer Cabrera upgrade the report to an aggravated assault. I responded to the Mattress Warehouse at SW 27th Ave and W. SR 40 and learned that there was video on their system that captured part of this incident. I also received photos from Mr. Fugate depicting minor damage to his truck. This information was added to the report, and the report was forwarded to ISB for further follow-up by a detective.

Investigative Summary	I met with Mr. Fugate on 08/19/2016 at 0923 hours. I conducted a recorded sworn interview with Mr. Fugate concerning the circumstances surrounding his complaint. A summary of this interview is as follows: Mr. Fugate called the police department to report the incident. He told the dispatcher that he had to get to work, and requested that the officer be sent to City Hall to take the report from him there. Sometime later, he received a call from Officer Cabrera. He said she wanted to take the report over the phone, but he asked her to meet him at City Hall to speak to him in person. He said she seemed "irritated" about having to respond to take the report in person.

When she arrived, there was another officer with her. After giving her the information, he stated that she told him that there was nothing she could do about it other than run the tag, possibly locate the individual, and place a note in his file that he is dangerous, or words to that effect. He said Officer Cabrera told him that he shouldn't have laughed at the subject, as that may have provoked him. (When the subject first drove up beside him and started yelling, Mr. Fugate laughed at the subject.) She also told him there is/are website(s) that he could visit to learn how to handle "road rage," which he found offensive.

Mr. Fugate asked Officer Cabrera about cameras at the intersection of SR 40 and SW 27th Ave. Her response was to ask him if they were City-owned cameras. His perception was that she wrongly assumed that he was a City employee and should know if the City had cameras at the intersection.

Mr. Fugate stated that he questioned Officer Cabrera about how this person pulled a gun on him and nothing was going to be done about it, to which she responded, "I've already told you why," or words to that effect. He said that he told her that given the circumstances, he would have been justified in shooting the unknown subject, to which Officer Cabrera replied, "Maybe you should have," and then walked out.

I asked Mr. Fugate if he was in fear that the subject was going to shoot him. He replied, "Absolutely." He stated that he told Officer Cabrera that he was in fear, especially when the subject got behind his vehicle in traffic; he was concerned that the subject was going to shoot him from behind. He said that Officer Cabrera never asked him the question, but he offered the information.

I then met with Officer M. Woods and took a sworn statement from her. The following is a summary of that interview:

Officer Woods advised that she responded to City Hall with Officer Cabrera. She said that Officer Cabrera asked her to go with her after Cabrera had spoken to Mr. Fugate by phone. She said Cabrera indicated to her that the complainant was being difficult and she wanted a witness.

She said that she stood by while Cabrera interviewed Fugate. She stated toward the end that Officer Cabrera gave Fugate some advice on how he could have handled the situation, including a website. She said that Cabrera told him he shouldn't have laughed, since it upset the subject. She stated that Mr. Fugate didn't like the advice. I asked her about the statement about nothing was able to be done about the incident. Her recollection was that Officer Cabrera told him that she would attempt to identify the person through the tag on the car, and something about possibly obtaining a warrant for the subject if he could be identified.

I asked Officer Woods if she remembered Fugate asking how it was possible that the person who did this wouldn't get into trouble, and Cabrera responding, "I already told you." She didn't recall that. I asked if she remembered anything about Fugate indicating that he was in fear (whether he offered or if Cabrera specifically asked). She had no recollection of that. She did remember Fugate stating something about he would have been justified in shooting the subject. Officer Woods said she remembered Fugate saying that, but couldn't remember Cabrera's response to that statement. She did remember Cabrera saying something about Fugate about him following the subject into the parking lot of the Mattress Warehouse. Officer Woods stated that her VieVu camera was on during the interaction at City Hall.

I later met with Officer Woods to ask if she remembered Fugate telling Officer Cabrera that he didn't want to pursue criminal charges. She didn't recall him saying one way or the other, nor did she remember Officer Cabrera asking him the question.

On the same date, I met with Sgt. Matt Bos and took a sworn statement from him. He stated that he was aware of the complaint (I had discussed the complaint with him when I asked him to have the case upgraded). He said that on the date in question, he received a call from Officer Cabrera who gave him a brief synopsis of the event, including the subject pointing a gun at the complainant, the complainant pointing his gun back at the subject, and the subject attempting to strike the complainant

through the driver's window while the complainant was sitting in his vehicle. He stated that Cabrera told him that the complainant had an "attitude," was not being cooperative, and did not wish to pursue criminal charges. Based on that information, he told her to document the case as a Departmental Information, but on an incident report in the event that the other party came forward.

I reviewed VieVu videos from Officer Cabrera and Woods for the incident in question. These videos are inconclusive, as neither of them captures the entirety of the contact/ conversation that took place between Officer Cabrera and Mr. Fugate. The portion of their contact that is recorded seems non-confrontational. Just as Officer Cabrera seems to be ending her interview with Mr. Fugate, the videos end. From Mr. Fugate's statement, it would appear that most of the conversation to which he took exception occurred just as the officers were departing. (After the cameras were off).

On 09/01/16, I provided Officer Cabrera with a copy of this report (with all info above this paragraph) and a copy of the witness interviews on a CD. On 09/05/16, I met with Officer Cabrera in the Lt's Office at OPD Headquarters and conducted a recorded interview with her. I read the Garrity Warning to her and she signed it, indicating she understood. The following is a summary of that interview:

Officer Cabrera said that when she was dispatched the take the call, she at first got Fugate's phone number from her MDT and called him. He told her what happened over the phone, but still wanted her to respond to City Hall to meet him in person. She advised Mr. Fugate that any traffic violations would have to have been witnessed by the officer before the officer could cite him for any traffic violations. She further advised him that she would have to attempt to identify the other driver, interview him, etc. She said she was basically explaining to him the process of the investigation. She also stated that she explained to him about how better to handle "road rage." She said that Mr. Fugate didn't seem to comprehend what she was explaining to him and seemed not to want to accept it. She advised that she asked Officer Woods to go with her because her VieVu camera was getting low on power and she was concerned that it would go dead.

When she met with Mr. Fugate, he explained the story to her again. He said he wanted to understand "why someone would do this." (Mr. Fugate indicated that he wanted to know how someone could do this and get away with it). She described Mr. Fugate as cocky and arrogant, but stated that there was no argument between the two of them. She said at one point, she mentioned that the other party could make a similar allegation against him in explaining what investigative steps needed to be taken.

I asked Officer Cabrera if Mr. Fugate indicated that he was in fear. She wasn't able to recall any specific conversation about his being in fear. She said thought he was in fear because he pulled his weapon.

I asked her about the assertion that Mr. Fugate did not wish to pursue a criminal case and whether Mr. Fugate actually said that. She couldn't remember specifically what Fugate said, but stated that she would not have told Sgt. Bos that he didn't want to pursue the case if Fugate didn't say something to her that indicated that. She did say again that Fugate wanted to know why "somebody would do this." She said she explained to Fugate that if she couldn't establish probable cause after identifying and interviewing the other party, that the case would have to be presented to the SAO for a determination to be made on the issuance of a warrant. She stated that just before she left, Fugate asked a question. She couldn't remember the specific question he asked, but in answering that question, she ended up repeating everything she had told him. She denied saying anything to Fugate indicating that he should have shot the subject. She described Mr. Fugate as cocky and arrogant several times during the course of the interview.

FINDINGS:

The "facts" of the criminal complaint reported to Officer Cabrera were sufficient to establish the elements of aggravated assault and Criminal Mischief. Officer Cabrera wrote the report as a Department Information and asserted in her narrative that "Fugate did not wish to pursue criminal charges." She didn't state in the narrative how she arrived at this conclusion (i.e. she didn't specifically state that Fugate said that). During her interview she stated that she didn't remember specifically what Fugate said on the subject, but she wouldn't have told her Sergeant that unless Fugate had indicated it in some way. If Fugate didn't want the case to proceed, It's not likely that he would have been upset at the prospect of the other subject not getting arrested.

Fugate indicated that he asked her toward the end of their conversation why the other person wouldn't get into trouble, and Officer Cabrera replied angrily, "I already told you." Officer Cabrera indicated that Fugate asked a question just as she was leaving. She couldn't remember the specific question, but in answering, she repeated everything she had already told him about how the case would need to proceed. Officer Cabrera stated that there was no arguing or contention that she could remember, but referred to Mr. Fugate as arrogant and cocky on several occasions during her interview. Mr. Fugate stated that he told Cabrera that he would have been justified in shooting the subject and that then someone would investigate the case more thoroughly (or words to that effect), to which Officer Cabrera replied that maybe he should have. Cabrera denied saying that. Officer Woods remembered that statement by Fugate, but didn't remember Cabrera's response. Since both Cabrera's BCS recording and that of Officer Woods ended while they were still in contact with Mr. Fugate, the last part of her conversation with him was not recorded.

Officer Cabrera indicated that she explained to Mr. Fugate that she would have to identify the other driver, interview him and take other investigative steps, but other than conduct a computer inquiry on the tag he gave, didn't take any steps to further the case. She did not go to the scene to attempt to locate video (even after the subject of video came up during her conversation with Mr. Fugate). She failed to observed and/or document the damage to Mr. Fugate's vehicle. During her interview, Officer Cabrera admitted that she should have written the case as an Aggravated Assault and Criminal Mischief, and she should have secured the video.

Ocala Police Department Rules of Conduct, Unsatisfactory Actions states:
Unsatisfactory Actions shall include that which brings the Department into disrepute or reflects discredit upon the person as a member of the Department or that which impairs the operation or efficiency of the Department or member. This violation will be utilized only when no specific prohibited act or required behavior can be addressed for violation and falls within Level 2 of the Disciplinary Matrix.

Mr. Fugate's main concern when he made the complaint was that the case be investigated as thoroughly as possible. He felt that Officer Cabrera showed a lack of concern about the case, given the seriousness of the subject's actions. He said that she was rude and unprofessional. Because her BCS video was turned off while their conversation was on-going, I was unable to prove or disprove this allegation. Officer Cabrera referred to Mr. Fugate as "cocky and arrogant" several times during her interview. She asked Officer Woods to accompany her to speak with Fugate because her VieVu camera battery was getting low and she wanted to make sure her interaction with him was recorded. Then, she ended the video before her contact with him was done. What is true is that Fugate reported an Aggravated Assault and Criminal Mischief. Officer Cabrera wrote the case as a Departmental Information report, and put forth little effort in investigating the crime reported. Had Mr. Fugate not made a complaint, the case likely would not have been investigated any further.

Whether or not rudeness and lack of professionalism on one hand or cockiness and arrogance on the other hand can be proven, this preliminary investigation should have been more thorough and better documented.

	Ocala Police Department Body Camera System User Guidelines state: *1. Members will activate the BCS during law enforcement encounters when potentially dealing with a subject involved in criminal activity. This would include, but is not limited to traffic stops, proactive policing efforts, and calls for service. Additionally, tactical activities such as building searches, searches for suspects, and foot pursuits.* ***Members shall activate the BCS when a citizen contact becomes adversarial and it is in the best interest of the agency to have the incident recorded.*** Officer Cabrera stated that the conversation between Mr. Fugate and her wasn't adversarial. Based on the totality of the circumstances (the obvious contention over the phone necessitating her asking Ofc Woods to accompany her, her referring to Fugate as arrogant and cocky, etc), one would have to conclude that their contact was adversarial, at least part of the time. *2. Victims of crimes and witnesses to crimes will be recorded with their consent.* Mr. Fugate was either the victim of a crime or one of two people involved in an aggravated assault where each pointed firearms at one another. If the former, he should have been recorded (with his consent), and if the latter, he should have been recorded (see rule #1 above). *5.* ***BCS should remain activated once turned on*** *unless the incident or event is of such duration that the BCS may be deactivated to conserve recording times and the officer does not reasonably believe the deactivation will result in the loss of critical information. A member will record on camera the reason for deactivating the BCS prior to deactivating the camera. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.* In reviewing the BCS recording from both officers, it is clear that the conversation was nearing its end when the cameras were deactivated. Officer Cabrera is heard to say, "...I'm gonna write it up..." just as the recordings end. Whatever conversation Fugate deemed to be adversarial obviously took place after this point. Had the BCS captured all of the conversation, we would have a clear picture of the nature of the entire encounter.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	X
Violation(s): [illegible]	

Action Taken	[illegible]

Signature	[signature] 11/23/16	Chief of Police

Ocala Police Department
Supervisor Inquiry Procedural Check List
Supervisor Inquiry Case

SI-011-16

Date	Initial	
8/18		Complaint received.
		Case Number Assigned for the investigation
8/18		Complete the Summary of Complaint Section of the Supervisor Inquiry Form.
8/18		Copy of the Supervisor Inquiry Form, LEO Rights Form and Garruty Form to accused member
8/19		Complainant and witness interviews conducted and recorded
8/28		Contact the Office of Professional Standards prior to interviewing the accused officer to review the investigation
9/01		Prior to conducting interview with accused officer(s) they are provided the complainant and witness interviews for review
9/05		Prior to interview the accused officer(s) are to review and sign a LEO Rights Form and Garrity Form
9/05		Conduct recorded interview with accused employee(s)
9/06		Complete Supervisor Inquiry Form
9/06		Attach copy of Supervisor Inquiry Investigators Affidavit to report
9/06		Completed Supervisor Inquiry and any supporting documentation (tapes, reports, transcriptions, etc) and the original "Complaint Reception Record" sent to the Deputy Chief. (Enclosed in an interoffice envelope)
		After receiving notice from Professional Standards notify the accused officer(s) and the complainant of the findings.

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 6th day of September, 2016

Investigating Officer

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Murdock	Tabetha	R	06-06-90	W	F

Address:	Home Telephone No.:
5224 SE 31st Ave	352 207 1985

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34480	—

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Snow	Donald				M

Supervisor (Name)	Rank	ID No.	Supervisor on Scene:
			☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
1216 Blk S US 441	8-20-16		12:16pm

Reason for Contact: felt disrespected

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary): felt he was disrespectful by the tone of his voice. I work retail so I know as all bout your tone.
And I wasn't going that fast I watch my speed and it didn't change from 40 no way when I just turned at the light.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature]

Date: 8-22-16

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Related Case Number(s):	Complaint No.:
Sgt. M.K. Sommer	2016001711 79	

Attachments: (list):
none

Supervisor Remarks:
I reviewed video w/ complainant. Officer Snow was professional and polite. Recommend no further action.

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered: ☐ Received by Supervisor (Explanation Attached) ☐ Conduct Supervisory Inquiry ☐ Forward for I/A Investigation

Deputy Chief (Signature):	Date: 9/23/16

Professional Standards (Signature):	Date Filed:	I/A Number:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Tabetha Murdock
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 22 day of August, 20 16.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification V, Type of Identification Driver's license

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

NOTARY PUBLIC STATE OF FLORIDA
D. DICKSON
MY COMMISSION # FF 021202
EXPIRES: May 23, 2017
Bonded Thru Budget Notary Services

OPD-934 (12/09)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Young	Jody	A	4-10-55	W	F

Address:	Home Telephone No.:
[redacted] 14871 SW 20th PL	352 465-6872

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34481	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Ofc. Sigler					

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
Sgt. Brewton			☒ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Ofc. P. Morales		
Ofc. J. Foster		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
1839 NE 8th Rd	10-26-16	Wed.	8 pm

Reason for Contact: Rabbit left in car + Key left in it

Remedy Sought: Officer to Know not to ever leave an animal

Statement of Complaint: (Use additional sheets if necessary):
of Keys in car left open

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
SGT. M. GREEN	10 27 16	2016002201145	

Attachments: (list): AFFIRMATION FORM & MEMO FROM LT. SCRIBNER

Supervisor Remarks:

Tried to contact Ms. Young by phone: 10/30/16 @ 1830 - left voicemail msg. and 11/1/16 @ 1948 hours and got no answer after 20 rings. Unable to make contact. Spoke to above listed officers and resolved in line w/ remedy sought. ** See attached

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
[signature] 27	11/22/16		

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
[signature]	11/23/16

Professional Standards (Signature):	Date Filed:	I/A Number:

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Jody A. Young realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 27 day of October, 20 16.

By (Signature of Affiant) Jody A Young

Personally Known _____, or Produced Identification X, Type of Identification ALDL-3778515

Official Notary Signature of Law Enforcement Officer: Sgt. M. Gu 0345

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: November 22, 2016

SUBJECT: Complaint Review
CC-014016

FROM: Angela Scroble, Lieutenant

I received this complaint by Jody Young on OPD Case #201600220145 to review. I attempted to contact Ms. Young at the phone number provided on her complaint form twice with negative results; 10/30/16 @ 1830 hours I called and left a message on her voicemail requesting a return call and on 11/17/16 @ 1848 hours I called, received no answer and hung up after 20 rings. Ms. Young has never returned my calls.

On 11/17/16, I first spoke to Sgt. Mary Brewton and advised her of this complaint. Sgt.Brewton advised that she had no knowledge of a rabbit being in the car of the arrestee, W/F Diane Grochowski. Ofc. Brewton also did not recall anything in regards to the vehicle keys.

I spoke next to Officer Shawn Sigler, who was the assigned officer for the case. Ofc. Sigler advised there had been a rabbit a cage on the front seat of the vehicle and that Ms. Grochowski requested it be left where it was, as it had food and water, and she would arrange for its care herself. Ofc. Sigler also advised that the passenger front window of Ms. Grochowski's car was missing and it had tape across it, therefore it was unable to be fully secured. Ofc. Sigler advised that Ms. Grochowski requested that the car be left where it was parked, as long as it wouldn't be towed. Ofc. Sigler said that he spoke to a staff member at the facility who advised that the car was fine to be left there and they would not tow it. I spoke with Ofc. Sigler about the need to document the above information in his narrative, as well as all persons and vehicle information in the proper tabs. I also spoke with Ofc. Sigler about the proper care of animals and vehicles prior to leaving a scene. Ofc. Sigler advised that he understood and this would not happen again. Ofc. Sigler advised that he never heard the name of the complainant, Ms. Young, but he did speak to an unknown female on Ms. Grochowski's phone per her request, in order to inform her of what was going on and the procedures that would follow.

I spoke next to Ofc. Foster. Ofc. Foster confirmed that Ms. Grochowski had not wanted her rabbit moved nor her car. She advised she would handle the care of her rabbit herself and just wanted her car to not be towed. Ofc. Foster also confirmed that there was no way to properly secure Ms. Grochowski's vehicle due to there being not front passenger side window.

I found that Ofc. Morales never went to the scene, as he was cancelled prior to arrival.

I was never able to make contact with Ms. Young. She did document on hercomplaint that the remedy sought for her complaint is, "Officer to know not to ever leave an animal or keys in car left open". I believe this has been accomplished through my conversations with Ofc. Sigler and that this complaint has been resolved.

AS/as

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Cini	Jeff	M	10/2/72	W	M

Address:	Home Telephone No.:
1510 NE 24 St	856-655-7580

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34470	After 3 pm

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Haile	Cindy			Bk	F

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Hughes - King		
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Home	Wednesday	10/26/2016	Approx. 10 am

Reason for Contact: Threatening me w/cyberstalking to leave the people alone threatening me & my family.

Remedy Sought: Proper citations issued to the people responsible for damaging my vehicle and them and their friends to leave my family alone.

Statement of Complaint: (Use additional sheets if necessary):

Please see attached 4 pages.

In reference to case # 2016 00213190

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: Jeff M. Cini	Date: 10/27/2016

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Sgt. E. Hay	10-27-16	2016 00213190	

Attachments: (list): 4 pages

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
Sgt E. Hay	10/27/16		

Action Ordered:
- ☐ Resolved by Supervisor (Explanation Attached)
- ☑ Conduct Supervisory Inquiry (Assigned to [illegible])
- ☐ Forward for I/A Investigation
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

I am filing a formal complaint against the Ocala Police Department (OPD) for gross negligence and severe incompetence. I was on my way to OPD 10/17/2016 to resubmit evidence for a police report that was misplaced. While sitting at the stoplight heading South on 441 at the intersection of NW 10th St, Marie Williams drives up on the curb and scrapes down the side of my van to go around me in the turn lane. She continued through the light and pulled into a gas station not realizing that I had followed her there (by her demeanor I would say she was under the influence). When I went inside to call the police (I didn't have my cell on me), she jumped back in her vehicle and took off. I tried to follow her but was unable.

I continued to the police station and reported the accident. The first officer I spoke to in the lobby was in no rush to get a traffic officer to handle it and didn't feel it was necessary to immediately put out a description of the vehicle. When the traffic officer arrived, I gave her all of the information including the tag number (although I was one character off) and informed her that there should be a recording of it from the gas station surveillance cameras. After 2 days of the OPD not being able to find the vehicle and not bothering to view the video, I went out and located the vehicle myself.

Once I located the vehicle, I went down to the end of the block where I could maintain a visual of it and called it in. While the traffic officer was down there, she called me to ask if it was a man or a woman driving. I reiterated to her that it was a woman driving and that she was the only one in the vehicle at the time of the accident, and that this is all visible on the video from the gas station which OPD still had not bothered to view (I obtained a copy the day after the accident). The officer leaves and informs me that the male wanted to take responsibility so she ticketed the male. Despite the uneasy feeling that the officer just let someone (who obviously has no remorse) get away with driving illegally (turns out she doesn't have a license) and leaving the scene of an accident, I was tired of doing the job for the OPD.

The next day I called his insurance to find out that it was invalid. Now I have to go back through OPD to get her cited for the accident. The officers (the supervisor is involved by this point) tell me that they can't get the girl to come out of the house, but they know where she works so they are going to try to get her there. I informed them not to waste their time because she no longer works at Zaxbys. At this point they start giving me attitude telling me that they will handle it and that I need to stop investigating. Every bit of information they had was information that came from me. They were 10 steps behind and couldn't manage to cite the right person even after I served them up on a silver platter.

Not hearing anything from OPD after several days, I posted on his Facebook page:

Marie Real MrsDempsey is currently being sought by Ocala Police Department for hit and run. If you know her whereabouts, please call 369-7000

What follows is the response to my post:



John Dempsey Mr Jeff Cini please leave us along my girl ain't messing with you
Like · Reply · Yesterday at 10:01am



Shiloh Wilder First of all who the FUCK is this on my fucking post fucking with my sister
Like · Reply · 1 · 22 hrs



Chico Black Who the fuck is this pussy ass nigga go drink . bleach fuck boy
Like · Reply · 1 · 22 hrs



Shiloh Wilder Matthew Alexander bet his pussy ass wont come to the hood with dat bullshit
Like · Reply · 1 · 22 hrs



Chico Black You all ready know this bitch boy ain't gone come to the hood
Like · Reply · 1 · 22 hrs



Shiloh Wilder Yasssssssssss lawd pussy ass fuck boy
Like · Reply · 1 · 22 hrs

I replied to their posts under a different identity:



Max Rockatanski John Dempsey You let your girl illegally drive your uninsured vehicle and then filed a false police report (I understand that you were trying to be honorable by taking responsibility). She crashed into my vehicle and took off. She is on the video from the gas station where she stopped and she will be caught. If nothing else, think of the kids. If she turns herself in, I'm sure the useless SAO will give her a real good deal with no jail time and the kids will never have to know. They probably won't bother charging you either. The more the police have to waste time and resources tracking her down, the worse this will get.
Like · Reply · 2 hrs



Max Rockatanski Shiloh Wilder You lost your bet, I have been to your hood at least 3 times already. I will continue to come to your hood and send the police to your hood until either your sister turns herself in, the police catch her, or I catch her and turn her in myself.
Like · Reply · 2 hrs

At this point they forward these posts to the officer and complain that they are being harassed. So the officer calls me up and tells me to stop harassing them and threatening them and threatens me with cyber stalking. I probably could have laughed that off if it wasn't for the fact that this is the same police department that has been too incompetent to make a prosecutable stalking case against my neighbor (whom we've obtained 3 repeat violence injunctions against) over the last eight years after he has been legally recorded on audio/video (or otherwise documented) doing the following things:

Repeatedly violating the afore mentioned injunctions

Repeatedly trespassing on our property

Stealing/destroying our property

Physically attacked me twice

Following and harassing our kids on their way to school

Exposing himself and grabbing his privates on 2 separate occasions in front of our kids

Going out of his way to follow us around town in his vehicle

Circling our house up to six times a day in his vehicle and taking pictures into our yard

Climbing on his roof taking pictures into our yard

Telling the officer that he engages in this behavior for the purpose of harassment

Openly admitting in public that he will not stop his harassment until he can get me sent to jail

Yelling threats across the street

Filing false reports to the police, the fire department, and code enforcement

Committing blatant perjury in court

Malicious prosecution

Engaging in exparte communication with a judge on a case for which he had no involvement

The documentation I have detailing his actions is forty-something pages long with hours of audio/video files to accompany it. So now, the same police department that has been too incompetent to make a case with all of that information is going to threaten me with cyber-stalking for posting on someone's Facebook page to turn themselves in? It should be quite clear now why I am unable to simply laugh off the officer's threat. On top of that, after the officer threatens me, they continue to post threats on Facebook:



Shiloh Wilder Max Rockatanski first of fucking all bitch you not gonna send nobody to my fucking house cuz baby the bitch right here don't give two fucks bout not one fucking police officer in marion county or any fucking state cuz baby you can have my address matter if fact here it go 621 nw 2nd st #1703 34475 so baby lets go and i will be home all day and plz don't let my brother catch you bitch cuz i dont give a fuck bout you or anyone but yo pussy aint gonna keep come for my fucking sister i fucking know that but baby like i said come fucking see me either in yo scobby doo van or your black transam bitch yeah didnt think i knew what the fuck you drive im waiting and Chico Black this pussy ass fuck boy aint real at fucking all cuz like i said you aint been to this hood..... GOOD MORNING



Chico Black Hell naw he ain't real and when he came to the hood hold on I'll wait.....

These people are driving (illegally) by my house, scoping out my property, making threats and telling me where I can't go, but THEY are the ones being stalked!?! The entire department needs to reexamine its mission statement and develop a clear understanding of who the law abiding citizens are that they are supposed to protect and who the criminals are that they are supposed to keep off the street.

Not sure why Chico Black, aka Matthew Alexander would get himself involved when he is still on probation for Aggravated Battery on a Pregnant Victim and Aggravated Assault with a Deadly Weapon. Clearly these people present a serious threat to the safety of me and my family. It is my wife that drives the black Trans Am and now she is extremely upset and worried about these people. I would ask that this situation is dealt with appropriately before this turns into a shootout (Yes, my wife and I both have CCW permits).

After all this trouble, the driver was only cited for no license and leaving the scene of an accident and the owner of the vehicle wasn't cited at all. The Bureau of Motorist Compliance will only assist in recovery of damages if the proper people were cited appropriately for their violations. Given that the OPD was overly gracious and gave them a free pass on filing a false report, knowingly presenting invalid insurance, knowingly letting an unlicensed driver operate a motor vehicle, and careless driving, you would think these people would be grateful and not seeking revenge simply because I want my vehicle fixed that she damaged and then took off from. These people clearly have no respect for the law, other people, or other people's property. This matter needs to be dealt with urgently before it escalates.

Thank you for your cooperation,

Jeff Cini

1510 NE 24th St.

Ocala, FL 34470

856-655-7580

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: November 4, 2016

SUBJECT: Citizen Complaint

FROM: Louis Biondi, Captain
Ocala Police Department

On October 27, 2016 Mr. Jeff Cini submitted a Complaint Reception Record against Ocala Police Department members Cindy Haile and Elissa Hughes-King; his chief complaint was that a crash, that Mr. Cini had been involved in, had not been thoroughly investigated and the wrong parties had been cited as being at-fault.

Having already recognized, prior to Mr. Cini's complaint submission, that procedural errors and/or omissions had been made during the course of the crash investigation, supervisors Lee Whitston and Cindy Haile conducted a comprehensive review of the crash report itself. At the conclusion of their review, and as a result of a follow-up investigation, the proper at-fault driver was identified and issued the appropriate civil and criminal citations.

On November 3, 2016 I responded to and spoke with Mr. Cini at his residence, 1510 NE 24th Street. At great length, we discussed the details of the crash, the investigation, the follow-up investigation, and ultimately, the errors that had been made and how they were resolved. Upon conclusion of our meeting, Mr. Cini was satisfied with the Ocala Police Department's efforts and he voluntarily chose to rescind his formal complaint.

Upon final disposition of CSS Hughes-King's actions during the course of the crash investigation—whether she receives counseling, remedial training, formal discipline—that too will be shared with Mr. Cini at a later date.

Supervisor Inquiry 015-16: Rescinded / Resolved

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Aaron	FElicia	J	04-24-72	B	F

Address:	Home Telephone No.:
PO Box 4626	

City:	State:	Zip:	Work Telephone No.:
OCala	FL	34478	(352) 484-3596

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Russell	Doug		Ofc.	W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
[redacted] 10th St	11-3-16		around 11 pm

Reason for Contact: there were no reason for contact Complete Harassment

Remedy Sought: traffic Citation

Statement of Complaint: (Use additional sheets if necessary):

I was Driving down the road when I noticed I was being followed by a car with no head lights everytime i turned the car turned then when I got to Main road 10th St another car got behind me also then after a little lights were turned on by a police car for me to pull over I drove to stop light and sat there when the officer approached my window I ask him why did he pull me over he said

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received	Related Case Number(s):	Complaint No.:
Sgt. F. Zadnik	11/14/16		

Attachments: (list). Copy of CITCs

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
- ☐ Resolved by Supervisor (Explanation Attached)
- ☐ Forward for I/A Investigation
- ☒ Conduct Supervisory Inquiry (Assigned to [redacted])
- ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: ~~11-3~~	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

I ran two stop signs, he was lying because I didn't run any stop signs and he wouldn't know what I did because he didn't get behind me until I got on ~~Hwy~~ 10th St. and there were no stop signs he just used this excuse to pull me and harass me I did not run any stop signs at all. I don't run stop signs there was no reason for me to be just running stop signs. There were at least 4 police at the scene and for what? because he first of all falsely accused me just to pull me. Why allow me to run more than one stop sign before pulling me over and again he was never behind me. I was also given a ticket for not changing my address I told him I don't have an address to give him because I'm in the process of moving he ask where does my mail go I told him to my PO Box he ask for that address and I gave it to him. The officer also stated that I went over the white line when I stopped well if I ran the stop signs how would I be over any white line? if I ran the stop signs like he said Last but no Least after giving me two tickets the officer told me to run the red Light and I do have a witness so how do you give me a ticket for running stop signs and then tell me to run the red Light? Please tell me what is right about that? I was not treated fair and was harassed for NO reason.

Complainant's Signature	Date
Jakiera Carson	11-11-16

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) FELICIA J. AARON realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 5 day of December, 20 16.

By (Signature of Affiant) Felicia Aaron

Personally Known ✓, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department
Supervisory Inquiry

Number: [illegible]

Complainant	Felicia J. Aaron		Date Received	11/14/16
Address	P.O.Box 4626		Time Received	Unknown
City/State	Ocala, Florida		Received By	Sgt. Frank Zadnik
Telephone	Home: (352) 000-0000 Work:(352) 484-3596		Investigator	Captain C. Sirolli

Incident Location	NW 14th Street and 20th Court/NW 22nd Avenue and 10th Street
Violation Alleged	Officer Russell only stopped her to harass her, then lied about the reason. Q (24): Members are required to be truthful at all times, whether or not under oath. This provision shall not prohibit the use of deception while conducting criminal investigations or interrogations as permitted under law. (Level 5)

Accused Officer(s): Officer Doug Russell

Summary of Complaint	Ms. Aaron alleges that Officer Doug Russell accused her of running two stop signs and failing to change her address on her driver's license. She goes on to claim that Officer Russell lied about the stop signs and only stopped her to harass her. According to Ms. Aaron, she was driving down the road observing a vehicle following her without headlights on and then another vehicle cutting in front of the first vehicle. After a short drive, the lights to the second car came on, indicating the vehicle was police car. When she stopped the officer approached her vehicle a requested her driver's license. She wanted to know why, what did she do, and Officer Russell advised she ran two stop signs. Ms. Aaron feels that Officer Russell lied about what he saw and that she never ran a stop sign. After all was done, she said Officer Russell told her run the traffic light.

Investigative Summary	*After interviewing the officers present (Sgt. Vizzini, Messenger, and Camacho), I found that all of them made similar statements as to what occurred. *Sgt. Vizzini and Officer Messenger were riding together in an unmarked vehicle and were parked on the side of the road without their headlights on, off of NW 20th Ct. *A vehicle passed by them fitting the description of a vehicle that may have been involved in a shots fired call from the night before. *Officer Messenger was the driver of the unmarked vehicle and immediately turned around from their position and began to follow it, watching it pass through the first stop sign of two, at NW14th Street and NW 20th Ct. *Officer Messenger and Sgt. Vizzini called Officer Russell on the private channel they were working

on and Officer Russell went to meet up with them to intercept the violator.

*As Officer Russell waited on the vehicles to pass by him in the 1200 hundred block of NW 22th Ct and then got in behind the violator, northbound and watched as the vehicle passed through the stop sign at NW 10th Street on NW 22th Ct (error on second location indicated 22nd Ave).

*Agent Camacho was riding with Officer Russell and he too observed the violation.

*Officer Russell then initiated a traffic stop, which took place at the traffic light turn lane on NW 10th Street at NW 27th Avenue.

*Contact with the driver was made and identified her as Felicia J. Aaron.

*Ms. Aaron and Officer Russell conversed about the traffic stop and she refuted Officers Russell reasons for the stop because he didn't see her run any stop signs.

*As Ms. Aaron reached for her purse, she immediately disclosed to Officer Russell she had a gun in her purse but also had a CCW permit for the gun. Ms. Aaron then handed it to Officer Russell, as per his instructions.

*Officer Russell removed the weapon and then asked for her CCW permit, which she was unable to do because it was home in another purse.

*Ms. Aaron requested time to have someone bring it to their location and Officer Russell agreed.

*Officer Russell asked Ms. Aaron her address but she was claiming to have been homeless at the time and moving into another place soon, yet she sent her fiancé to the place she was currently staying to retrieve the CCW permit (30 minute plus, had passed from the time he came to the scene to get her key and go to the place she was staying to his return).

*Yet after a long period of time investigating the CCW, Officer Russell proved she did have a CCW, but that there were some errors in the numbers and gave Ms. Aaron instructions on how to get it fixed. No fine was issued for failing to have the CCW on her person at the time.

*After receiving the citations and instructions from Officer Russell, Ms. Aaron continued to disagree with Officers Russell even after explaining that the other officers also saw her run the stop signs.

*Disagreeing, Ms. Aaron said she doesn't run stop signs. Yet in her interview, she said she was on the phone during the time the officers claimed she ran the stop signs.

*I (C.Sirolli), asked her, "could it have been possible you were too busy on the phone and didn't realize you passed by the stop sign." Ms. Aaron responded ,"Yes," (see Felicia J. Aaron interview) towards the end, the question arises again, this time she stated, "No," she knows she didn't.

*Lastly, Ms. Aaron alleges that officer Russell then told her to run a red light, because the light didn't work.

*Officer Russell and other officer agreed, she was told to run the light because the light failed to cycle on three occasions, she was told along with her fiancé.

*It is my opinion, Ms. Aaron allegations are without merit and she should request a court date to prove her case in front of a Judge.

See attached statements and body cams videos of Officer's Russell, Messenger, Camacho, and Sgt. Vizzini. I have also attached copy of a map showing the locations of infractions according to Officer Russell.

	No car video was located in the system, but the camera was on during the stop.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	✓
Not Sustained	
Sustained	
Violation(s):	

Action Taken	

Signature		Chief of Police

I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes.

Sworn this 16 day of DEC., 2016

Carmen Sirolli, Captain
Investigating Officer

Law Enforcement Officer (Witness)

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Burlison	Tony	A	10/6/41	B	M

Address:	Home Telephone No:
6065 NW 56 Terr	(352) 555-5768

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34482	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
K. Compton	H.				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
			☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact: Driving on 441

Remedy Sought: Discipline. He is Lying That He Saw me Speeding

Statement of Complaint: (Use additional sheets if necessary):
The officer was ~~that~~ Lying that he saw me speeding at 60 miles an hour then he then on his radar

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: Tony A Burl	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Sgt. Kurtz	1/20/15		15-002-65

Attachments: (list):

Supervisor Remarks:
Prior to contacting Mr. Burlison I reviewed Ofc. Compton's VieVu video of this stop and saw no issues with the stop or Ofc. Compton's professionalism. On 1/20/15 at 1545 hrs, I contacted Mr. Burlison by telephone. He stated that he had no issues with Ofc. Compton's attitude or demeanor but did

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
F Zadnik /3701	1/20/15		

Action Ordered:
☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 1/20/15
Professional Standards (Signature):	Date Filed: 01/22/15 I/A Number: 15-03

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
1/20/15	CC002-15	

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
Burlison, T.	Compton, Harold

Continuation of Complaint:

not understand how Ofc. Compton was able to accurately determine his speed. I explained Ofc Compton's position and location as well as the proper procedure for visual observation and then confirmation of a potential violator's speed by use of the radar unit. I explained that I discussed this incident with Ofc. Compton and that I did not have any issues with his actions nor did he violate and law or directive during the incident. Finally, I explained to Mr. Burlison that it seemed that his issue was something that should be resolved by exercising his option to present this case in traffic court. Mr. Burlison stated that he understood and did not need anything further from me.

F. Zadd 01/20/15

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Terry A. Burgison realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 20 ____.

By (Signature of Affiant) Terry A Burgison

Personally Known _____, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

CASE # 2014001903 29

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name	First Name	M.I.	DOB	Race	Sex
Denye	Breasia	G.	5/27/57	Blk. Jamaican	F

Address	Home Telephone No.
515 S.W. 2nd Ave. Apt #6	(352) 622-2042
City: Ocala State: Fl. Zip: 34471	Work Telephone No.: N/A

Employee Information

Last Name	First Name	M.I.	Title/Rank	Race	Sex
Hunt	Charles	?	OFC	W	M

Supervisor (Name)	Rank	ID No.	Supervisor on Scene
?	?	5056	☐ Yes ☑ No

Additional Officers Involved	Rank	ID No.
K-9 Ofc from Sheriff's Dept. was on scene	?	

Complaint Information

Location of Incident	Day of Incident	Date of Incident	Time of Incident
S.W. 15th St. and Pine Ave.	~~10/21/2014~~ Mon.	10/20/2014	3:30 PM

Reason for Contact: Auto Accident

Remedy Sought: Correction of report and an apology. Ofc. Hunt came to hospital and said he cited me with the accident because he had a rater that was an eye witness that saw me hit the moving van. I told I hit that was impossible. I did not hit the van. He would not let me talk. He said because of the point of impact I had to of hit him. And tho he saw the marks on the van where my wheelchair hit it. The reason the point of was so far back was because he said he was making a wide turn because he didn't want

Statement of Complaint: (Use additional sheets if necessary)

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Breasia G Denye Date: 11/10/15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint	Date Recived	Related Case Number(s)	Complaint No.
LT Lt Goett #583		2014001903 29	003-15

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.)	Date	Employee (Signature/ID No.)	Date

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature)	Date: 11/27/15
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 10/20/2014	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Denyel Breasia		Employee's Name (Last, First, MI): Hunt Charles ?

Continuation of Complaint:

to turn into the right side lane but he wanted to turn into the middle lane. And my chair never touched his van, he hit my foot plate & there is damage on it it tipped my chair backward and my body went down so my legs were on the street. I still have the scars on my knees where he hit them. I have no damage to my chair except my light got knocked or shocked out of the bracket. The first one on the scene was a therapist that worked at one of the Hospitals. He was on the other side of the van calling 911 for the police and an ambulance for me. He was pacing back and to while on his phone, it was like a police radio or the old cell phones it was huge. All of a sudden the driver in the van starts backing up, he runs over my purse again which is still in the street, I start screaming again and when he got near me I started punching his van with both my fists and screaming as loud as I can he's still coming. Finally the therapist ran when he looked and saw him and made him stop the van before he ran me over. That's where the mark's on his van came from. And if Ofc. Hunt had let me talk he would have found these people and also heard that Mr. Lavell told the therapist, K-9 Ofc. and paramedics he did not see me in the crosswalk. He was stopped, I stepped, pulled off sidewalk just got on crosswalk & the piece when he started coming, I froze and started screaming. What Kind of idiot pulls out in broad daylight in a wheelchair and hits a moving vehicle?

Complainant's Signature	Date
Breasia Denyel	1/16/15

Also, I could not see on the other side of the van, so while he was backing up and I was yelling and punching the side of his van, I was using the flat sides of fists and sides of my wrists. So when the therapist caught up to him, he pulled forward so hard, he burned my wrist just above the little bone. I have a scar there as I do the four on my knees where he struck them.

Breasia D. Dengel
1/10/15

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Denyel	Breasia	G.	5/27/57	W	F

Address:	Home Telephone No.:
515 SW 2nd Ave #6	(352) 620-2042

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34471	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hunt	Charles		Officer	W	M

Supervisor (Name):	Rank:	ID No.	Supervisor on Scene:
Zadnik, F.	Sgt.		☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
SW 15th St. / S Pine Ave	Monday	10/20/14	3:30pm

Reason for Contact: Traffic Accident - Veh vs. Ped (Case # 2014001903 29)

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

(8) First of all, the 911 call states that he, the driver hit me, yet officer Hunt came into the ED, whom was never at the scene of accident and stated to me he was citing me cause he had an eye witness, a rooter who saw me run into moving van. I told him that was impossible cause I was not moving and did not hit him that he may have heard me yelling. which when I got a copy of the report, that just what it said!

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate.

Complainant Signature: Breasia G. Denyel Date: 2/3/2015

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived:	Related Case Number(s):	Complaint No.:
ZADNIK	02/03/15	2014001903 29	004-15

Attachments: (list): CRASH REPORT

Supervisor Remarks:

SEE MEMORANDUM

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
M. [illegible]	02/03/15		

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.): Denyel, Breasia		Employee's Name (Last, First, MI.):

Continuation of Complaint:

@ He stated he saw where my wheelchair hit the van. Anyone with half a brain could tell that a wheelchair could not hit a van that high up. He did not even ask for my side he had the ticket made out when he came in. I was struck on the sidewalk on 17th St. a hit and run in 2012 so I'm already gunshy. But then to get the screws put to me. My ticket was dismissed, the driver lied through his teeth in court. So I was gonna get a copy of the court recording and could prove half of what he said was lies. My luck they did not record in that Judge's courtroom on that date, before I found that out I called and spoke with the witness and asked if he would write me a letter saying I was just yelling at the top of my lungs and not yelling hit & run as the driver stated in court which if he heard, why did he hit me? Anyway the witness Randall Stampeler stated he had a bussiness & couldn't afford to take off and go to court he said I heard you yelling I looked down and the man in the van was about to back over you and I yelled at him to stop with he did. He said he told all of this to the officer. This is when I was yelling for a second time and punching his van with the sides of my fists and when he jerked stop and pulled up so fast he burned a spot on my left wrist and I have a scar. You are not suppose to move your vehicle until an officer arrives. I don't know where the therapist was he was radioing for help, on the other side of van, I could not see. The K-9 Officer had not stopped yet. Officer Hunt withheld the info from the eye witness and the truth from where the marks came from on the man van. He needs to be cited. for the accident and I pray God will have Mercy on him.

Complainant's Signature: Breasia D. Denyel Date: 2/3/2015

Page 2 of 2

P.S. If there is no action taken, I will submit this to the Mayors Mailbox

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: February 9, 2015

SUBJECT: Complaint

FROM: Mike Balken, Captain

On 10/20/14, the Ocala Police Department responded to a traffic crash at S. Pine Avenue and SW. 15th Street. The investigation revealed that an electric scooter (Hover-Round) was being operated by Ms. Breasia Denyel. Ms. Denyel was admittedly traveling southbound on the sidewalk in the 1400 block of S. Pine Ave. She was on the east side of Pine Avenue. Ms. Denyel indicated to the investigating officer that as she approached the intersection of SW. 15th Street, she observed the opposing vehicle (Nissan van) stopped on SW. 15 Street at the stop sign for Pine Avenue. She indicated she then proceeded to enter the crosswalk at which time the van began to make a right (Northbound) turn onto Pine Avenue. She stated that the **"rear"** of the van struck her.

The opposing driver indicated he was westbound on SW. 15th Street, stopped at the stop sign for Pine Avenue. He indicated that he observed the Hover-Round traveling southbound on the sidewalk but it had not yet entered the crosswalk when he began to make a right turn. As he did so, he heard the collision occur.

There were no independent witnesses to this crash. The officer observed minor damage to the right, rear side of the van and therefore concluded that the collision occurred when the van was already crossing the crosswalk while turning onto Pine Avenue. The driver of the scooter (Ms. Denyel) was cited for Failure to Yield. Ms. Denyel later filed a complaint against the investigating officer indicating that she was improperly cited and that she wanted an apology. Sgt. Zadnik received the complaint, reviewed the crash report and agreed with the officer's decision to cite Ms. Denyel. The complaint was therefore resolved with any further issues to be handled in traffic court, if so desired.

Not being happy with that decision, Ms. Denyel filed a second complaint with the same allegations. Upon receipt of the complaint, I reviewed the crash report and the previous complaint. I also responded to the crash location. I then spoke to Ms. Denyel by phone. She was still adamant that the right, rear portion of the van is what struck her scooter and that she had already entered the crosswalk when the van began making the right hand turn. I explained that her account of how this crash unfolded simply did not make sense. Moreover, that this case was already handled in court with her ticket ultimately being dismissed. When asked what she desired from the police department, Denyel stated she wanted the other driver cited so she could file a lawsuit. I explained that this was not possible and that she had every right to file a lawsuit regardless of who was cited. I informed Ms. Denyel that the police department would entertain her complaint no further.

As for the crash investigation itself, it does appear that Ms. Denyel was properly cited. Although I doubt Ms. Denyel intentionally ran into a moving vehicle with an electric scooter, it does appear that the van in question had already crossed the

crosswalk and was in the process of making a right turn when Ms. Denyel left the sidewalk and entered the intersection. Most probably, (and as stated in the crash report) the driver of the van stopped at the stop sign and then pulled past the crosswalk to better view oncoming traffic. It was during this brief pause that Ms. Denyel may have left the safety of the sidewalk thinking that she had the right-of-way. In any event, there are no further actions to take in regards to this event.

I request that this complaint again be considered Resolved by Supervisor.

SHERIFF'S OFFICE
Marion County
Inmate Request Form

internal affairs

TO:

FOOD SERVICES	☐	CANTEEN/INMATE ACCOUNTS	☐
LAW LIBRARY	☐	CLASSIFICATIONS	☐
PROGRAMS	☐	PUBLIC DEFENDER	☐
PROPERTY	☐	DISCIPLINARY REPORT APPEALS	☐
CHAPLAIN	☐	OTHER	☑

FROM (PLEASE PRINT):

Clinton James Shamake (Inmate Name)

A2210313 (Pin Number)

02-16-15 (Date)

G/B/132A# (Pod/Section/Cell #)

Lester (Received from inmate by Officer Signature and ID #)

2/16/15 (Date/Time)

REQUEST/COMPLAINT:

I have recently requested to talk to or be heard by the appropriate official regarding the use of excessive force against me during my arrest by an officer of the ocala police department. if I am further ignored I will be seeking legal action due to the lack of care here.

RESPONSE: YOUR REQUEST HAS BEEN FORWARDED TO OCALA PD INTERNAL AFFAIRS OFFICE.

[signature] 692 (Response to inmate by Officer Signature and ID #)

2/20/15 1445 Hrs. (Date/Time)

White Copy - Classification once the response is compiled.
Yellow Copy - Inmate once the response is compiled.
Pink Copy - Inmate after the officer signs the form.

Revised 2/22/10

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: February 27, 2015

FROM: Steven Cuppy, Sergeant
Office of Professional Standards

SUBJECT: Clinton Shumake

On 1/19/15, Officer J. Arnold and K-9 Officer C. Walsh responded to Paddock Park Apartments, 2901 SW 41st Street, for a Crime Stoppers tip to locate Clinton Shumake for two outstanding felony warrants. As Officer Walsh tried to take him into custody Mr. Shumake tensed and pulled away from Officer Walsh and stated he was not going back to jail. Officer Walsh ultimately released her K-9 Babbo to apprehend Mr. Shumake. Mr. Shumake sustained a dog bite to the arm that required treatment at the scene and Mr. Shumake was transported to the Marion County Jail. The incident number for the arrest for the local warrant is 2015-11303. Additional charges were filed on Mr. Shumake under incident number 2105-11347 for resisting efforts to get him into custody and for damage to a police vehicle caused by Mr. Shumake. There was a Supervisory Review Form completed for the use of force on Mr. Shumake.

On 2/25/15 The Office of Professional Standards received an Inmate Request Form from the Marion County Jail from Clinton Shumake. The form stated Mr. Shumake was requesting to talk with someone from the Ocala Police Department regarding excessive force used during his arrest in January. Prior to speaking with Mr. Shumake I reviewed the incident reports and the Supervisory Review Form. The Supervisor Review Form was reviewed by the appropriate chain of command and approved. I found no issues with the documentation of the incident. There was a Vie Vu being worn by Officer Arnold that was not activated during the incident, consequently there is no video evidence in this case. Sgt. Bos in his analysis addressed the issue.

On February 27, 2015, Captain Balken and I spoke with Mr. Shumake at the Marion County Jail. Mr. Shumake stated he did not have a claim of excessive force, but rather an issue with the K-9 being used to apprehend him instead of another less lethal option. He stated the scars on his arm as a result of the dog bite will likely be permanent and he felt that level of force was unnecessary. Mr. Shumake stated if the officers would have utilized a taser or even drew their firearm on him he would have complied.

Mr. Shumake acknowledged when Officer Walsh approached him he was verbally uncooperative and made the statement "I am not going back to jail". Mr. Shumake stated he was confused over the officers advising him he had two warrants. He acknowledge being aware of one of the two warrants for his arrest. Mr. Shumake stated that Officer Walsh grabbed his arm and he was trying to pull away, but never offered enough resistance to justify using a K-9. Mr. Shumake criticized Officer Arnold for not attempting to grab him and stated if Officer Arnold would have been more involved he would not have resisted efforts to be taken into custody.

Mr. Shumake did not offer any information that differed in the documented actions of Officer Walsh and Officer Arnold. There were no new allegations that lead to a claim of excessive force by the officers and warranted an investigation by the agency. Mr. Shumake spoke of suing the agency for our actions and wanted clarification on procedure and if his issue on the K-9 was being utilized over other options was valid.

It was explained to Mr. Shumake that Officer Walsh and Officer Arnold acted within agency guidelines and an appropriate review of the force used on him was conducted. The K-9 was an acceptable use of force option based on the actions of Mr. Shumake. It was further explained to Mr. Shumake the agency would not be looking into that matter any further and at this time the issue is considered closed.

SLC/slc

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint if you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I	DOB	Race	Sex
Quintyne	Stephen	C	12/28/1974	B	M

Address:	Home Telephone No
3130 SW 27th Ave	

City:	State:	Zip:	Work Telephone No
Ocala	FL	34471	352-671-3130

Employee Information

Last Name:	First Name:	M.I	Title/Rank:	Race:	Sex:
Young	Sean			W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
			☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.
J.H. Bienko	Lieutenant	
Additional Officers Involved:	Rank:	ID No.
Additional Officers Involved	Rank:	ID No.

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
The Vines Hospital	23-Mar-14		6:30

Reason for Contact:
Family member complaint

Remedy Sought:
Discharge patient immediately

Statement of Complaint: (Use additional sheets if necessary.)

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature: [signature]	Date: 3/24/13

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No:
			007-15

Attachments. (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☑ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to: _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed	I/A Number:

March 24, 2015

Sergeant Michael Kurtz
Professional Standards
Ocala Police Department
402 South Pine Avenue
Ocala, FL 34471

Dear Sergeant Kurtz:

At approximately 6:15 p.m. on March 23, 2015, I received a call from Pierre Jean, the nursing supervisor at The Vines Hospital. He informed me that the Ocala Police Department was onsite and demanding that we discharge a patient. He stated that he spoke with the officers and they were becoming increasingly rude. Our Director of Nursing also spoke with the officers via phone and she stated that they would not listen and they were rude to her as well. I arrived at The Vines Hospital at approximately 6:30 p.m. and asked Officer Young and Lieutenant Bienko how I could help. They told me that The Vines was holding a patient against her will and the patient needed to discharge immediately. I informed the officers that the patient signed an application for discharge at 5:15 p.m. that day and that she would be assessed by a psychiatrist within 24 hours to determine if she was safe and appropriate for discharge. The officers became upset to the point of irate, belligerent, and verbally abusive. The officers again informed me that The Vines was holding the patient against her will and Lieutenant Bienko stated he had spoken with Alina Stoothoff from The Centers who told him that I had no right to do what I'm doing. The officers then proceeded to threaten to report me to various agencies in Tallahassee, none of which I was familiar. When I again tried to explain to the officers that we would initiate the process as soon as possible, but that we have 24 hours to assess the patient for safety, they both became increasingly agitated. I was accused of not cooperating, talking in circles, and being difficult. Lieutenant Bienko told me that the patient had been at The Vines all weekend and had not been seen by a physician. In fact, the patient had been seen by a physician two times since being admitted to The Vines, which is in accordance to our policies and procedures. Lieutenant Bienko asked me when the patient was admitted and I informed him of the admission date, but told him that the admission date was

not relevant to discharge procedure. He again accused me of not cooperating. I then informed the officers that I can share with them the statute which states we are following the law. After showing Officer Young Florida Statute 394.4625, he agreed that The Vines does not have to discharge the patient immediately. Both Officer Young and Lieutenant Bienko then met with the patient and subsequently left The Vines without an apology for their error.

The Vines takes pride in our customer service and patient care. For the well-being of the patient and the patient's family, we would never want to keep a patient here longer then medically necessary. However, in the best interest of our patients and in accordance with quality patient care, we must take all of the necessary steps and precautions to determine that discharge criteria has been met for every patient who is admitted to The Vines Hospital.

As a community partner, I am saddened and disturbed by my interaction with Officer Young and Lieutenant Bienko. In 2014, The Vines Hospital admitted over 1,800 patients through the Baker Act process. We are very familiar with the law and guidelines. We appreciate everything that the Ocala Police Department does for The Vines and the community and always strive to be respectful to your officers. In this situation, while the officer's limited knowledge of Baker Act law was a hindrance in effective communication, it was not nearly as disturbing as the way they treated me and my staff. Their demands that the hospital discharge a patient before knowing if the patient was safe to leave was ill-advised, inappropriate, and unprofessional.

My Nursing Supervisor was visibly shaken after his encounter with the officers and I would say it was equivalent to bullying and intimidation. As CEO of The Vines Hospital, I would expect a certain level of respect as well when dealing with law enforcement. However, it is not acceptable for anybody to speak in that manner to my hard working, highly trained, and very competent staff. I am requesting that in the future Officer Young and Lieutenant Bienko not be allowed on Vines property. It is my hope that they receive customer service training and formal Baker Act training so they are no longer dependent on the inaccurate judgment of others unfamiliar with the specifics of the case, our procedures, and our patients.

I look forward to your response.

Sincerely,

Stephen C. Quintyne
Chief Executive Officer

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: May 6, 2015

SUBJECT: Vines Complaint

FROM: Mike Balken, Captain

On 03/23/15, Officer S. Young responded to the Vines Hospital to conduct a well-being check on a patient. Upon arrival, he was informed that the patient's status had been changed from involuntary to voluntary and that the patient now wished to leave the facility. After speaking to hospital staff, it became clear that the patient in question was not free to leave. This response by the hospital prompted Officer Young to question their decision to hold the patient and also prompted him to request Lt. Bienko respond to the scene. Upon Lt. Bienko arriving at the hospital, there was further discussion between himself and hospital staff which ultimately led to the Vines CEO being called to the scene. During this incident, Lt. Bienko directed Officer Young to contact the Florida Department of Children and Families to file a complaint in regards to the hospital holding the patient against her will. Lt. Bienko also ordered Officer Young to contact the Public Defender's Office on the patient's behalf. At some point during this incident, Lt. Bienko also contacted Mrs. Alina Stoothoff from The Centers in order to get some direction. Ultimately, Lt. Bienko and Officer Young were provided with the Florida State Statute governing voluntary admissions to a mental health facility. This statute clearly permits a mental health facility to hold a voluntary patient even after they demand to leave.

After a review of the statute, Bienko and Young left the facility and Officer Young eventually made a report of the incident to DCF. During that report, Officer Young makes allegations that he got the "run around" during his investigation. He also reported that the Ocala Police Department has received numerous complaints about inadequate and very poor services at the Vines, some of which had been substantiated.

On 03/24/15, the Vines CEO, Mr. Stephen Quintyne filed a formal complaint in regards to the incident. His complaint states that Lt. Bienko and Officer Young were demanding that the hospital release the patient and when advised that this would not happen, they became increasingly rude, belligerent, and verbally abusive. Mr. Quintyne indicated that his staff members were visibly shaken by the encounter. He found that the officers' ignorance to the statutory guidelines prompted demands that were "ill-advised, inappropriate, and unprofessional". Even more troubling was the fact that after they were shown the applicable statute, the left the facility without even apologizing for their mistake.

On 04/03/15, I responded to the Vines Hospital and met with Mr. Quintyne. During our meeting, he further explained the statutory guidelines for voluntary admissions and also gave a recorded statement where he reiterated his original complaint. It was clear that Mr. Quintyne was highly disappointed by his interactions with the Ocala Police Department. He was also very alarmed that Officer Young would make allegations to DCF that he did not feel were supported by factual information.

In the end, Mr. Quintyne suggested that OPD members receive training related to the voluntary admission of a mental health patient. He further felt that Lt. Bienko and Officer Young should receive some form of customer service training so that others are not treated in the same fashion.

On 04/06/15, I conducted an interview with Lt. J. Bienko. Bienko indicated that he had received a phone call from Officer S. Young who explained that the Vines was holding a voluntary patient who wished to leave. He then contacted Alina Stoothoff by phone in order to get some direction on proper procedures related to a voluntary patient at a mental health facility. He was informed that the patient would request an application for release and if denied, such denial must be supported by two physicians. The patient then must be given a Writ of Habeas Corpus which is then forwarded to the Office of the Public Defender for court proceedings. Ms. Stoothoff also relayed that the Department of Children and Families should be notified of any issues related to these types of cases. Armed with this information, Lt. Bienko responded to the Vines and spoke to patient, Patricia Turk. Ms. Turk stated that she was originally hospitalized under the Baker Act but her status had been changed to voluntary once she arrived at the Vines. She now wished to be released but Vines staff refused her request. Lt. Bienko then spoke to the supervisor of nursing, Pierre Jean, relaying to him the information that Mrs. Stoothoff had provided. Mr. Jean indicated that Mrs. Turk did complete an application for release but the hospital did not presently have two doctors on staff to review her case. Lt. Bienko then asked if the patient had been provided a Writ of Habeas Corpus at which time he felt that Mr. Jean had no idea of what form he was talking about. A short time later Mr. Stephen Quintyne (Vines CEO) arrived to address Lt. Bienko's concerns. Mr. Quintyne advised that based upon Florida State Statute, the hospital was well within their rights to hold Mrs. Turk against her will, even under voluntary status. Lt. Bienko indicated he informed Mr. Quintyne that he was not there to determine if the patient should be held, but only to ensure that the proper legal remedies were provided to the patient since she was denied release. Bienko indicated that as he questioned Mr. Quintyne about the specifics of Mrs. Turk's case, Quintyne would simply answer with another question or indicate that Bienko's concerns were not relevant. Bienko indicated that Mr. Quintyne was extremely uncooperative during his numerous attempts to gather information which he felt was necessary to ensure the patient's rights were being upheld. He stated that the situation clearly deteriorated once Mr. Quintyne became involved. Bienko then ordered Officer Young to ensure the patient's habeas corpus paperwork was completed and that DCF was notified. Lt. Bienko then spoke to the patient again (in the presence of Vines staff) and advised her that her paperwork would be forwarded to the appropriate authority for court purposes. Lt. Bienko stated that he never demanded that the Vines release the patient nor did he witness Officer Young demand such action. He stated that he was not rude or belligerent in any way. Lt Bienko was then questioned about any prior issues that he was aware of concerning the Vines and OPD as alluded to in the DCF complaint. Lt. Bienko indicated that he was aware of multiple incidents. The most recent two incidents involved the Vines contacting OPD to transport violent patients from their facility to the Centers. Lt. Bienko also indicated that he has witnessed the Vines accept juveniles on some occasions but decline to accept them on others. He indicated that there appears to be no rhyme or reason as to whom the Vines will accept. This has caused him to direct his personnel to transport to the Centers in order to avoid problems and timely delays with the Vines.

On 04/29/15, I conducted an interview with the Vines Director of Nursing, Patricia Simpson. Mrs. Simpson indicated that she had spoken to an OPD officer (S. Young) over the telephone about the case. She indicated that she was questioned about the holding of a patient against her will. She stated that she explained the law governing voluntary patients but the officer seemed as though he did not believe what she was telling him. She stated that he seemed very blunt and somewhat sarcastic during the phone call. Simpson stated that she felt as though she had to justify the hospital's actions which were legal and appropriate.

On 05/05/15, I conducted an interview with Vines Nursing Supervisor Pierre Jean. Mr. Jean explained that after the patient's initial request for release was declined, she began calling 911 for assistance. Officer Young arrived a short time later and began to question the circumstances surrounding the patient and why she was being held. Mr. Jean explained the statute governing voluntary patients and the 24 hour process which provides doctors the ability to review the patient's mental health prior to release. Mr. Jean stated that Officer Young was not rude but simply did not understand the situation as it related to state statute. Officer Young asked Vines personnel to provide him with the applicable statute and indicated that he would need to have a supervisor respond. Lt. Bienko then arrived at which time Jean explained the 24 hour process for voluntary patients. Lt. Bienko then relayed the information he had obtained from Mrs. Stoothoff. Mr. Jean advised that the Vines did not operate in this fashion and the patient would not be released without proper evaluation from a doctor. Lt. Bienko then asked to see Mr. Jean's supervisor. He then contacted Mr. Quintyne who responded to the scene. Jean stated that while Lt. Bienko was speaking to Mr. Quintyne, his tone began changing. He stated, "I don't want to say he was rude but he was very rough". Jean went on to state that Lt. Bienko was uncooperative and that he was "borderline rude, and bullying". When the applicable statute was eventually presented to Officer Young and Lt. Bienko, they explained some information to the patient and then left the hospital.

On 05/05/15, I conducted an interview with Officer Sean Young. Young stated that he spoke to the patient and based upon his limited understanding of the voluntary portion of the Mental Health Act, asked Mr. Jean if he could provide him with the applicable statute so that he could explain to the patient why she was being held. Jean was unable to provide that information but did put Officer Young on the phone with the Vines Director of Nursing, Mrs. Simpson. Mrs. Simpson indicated that she would attempt to get someone else there who could provide the law which allows for the holding of a voluntary patient. In the meantime, Lt. Bienko arrived and began speaking to Mr. Jean, asking similar questions related to the statute and the hospital's ability to hold a voluntary patient. Officer Young indicated that Jean was unable to provide much information. This prompted further discussion and eventually led to a report to DCF. Mr. Quintyne arrived and began speaking to Lt. Bienko. Officer Young stated that when Mr. Quintyne would answer Bienko, he did so in what appeared to be a reluctant manner. Mr. Quintyne eventually advised that he felt Bienko was being rude to him. Officer Young stated that he did not feel as though Bienko was rude. He indicated that Quintyne was talking in circles and simply would not provide the information being asked of him. Finally, Vines staff located the statute which provides for a 24 hour hold of voluntary patients and provided that to Officer Young. He indicated that he apologized to Mr. Quintyne and explained that OPD simply does not typically deal with voluntary admissions. Officer Young describes the conversation between Bienko and Quintyne as direct.

He stated that afte. Quintyne failed to answer simple questi..s being asked of him, Bienko was stern but never rude. After the interview, I remembered to question Officer Young about allegations he relayed to DCF concerning ongoing issues with the Vines. He gave several accounts of problematic incidents.

On 05/06/15, I conducted an interview with Vines patient Patricia Turk who witnessed the majority of the conversations between OPD and Vines personnel. Ms. Turk seemed shocked that anyone had filed a complaint against OPD personnel for this incident. She indicated that both Officer Young and Lt. Bienko were "nice, professional, patient and pleasant" during the entire incident. She went on to say that the hospital staff appeared to intentionally stall the process, taking inordinate amounts of time to answer simple questions and/or provide basic paperwork which the officers were asking for.

I also conducted a search of all police related calls for service at the Vines since 01/01/13. I located 544 calls for service at the facility but have not reviewed these cases for problematic trends or concerns.

In the end, this incident and subsequent complaint appear to revolve around a certain degree of ignorance on the part of Ocala Police personnel as it relates to the Florida Mental Health Act. That issue can and will be addressed through further training that is specific to instances of voluntary admissions. Also in question is how Lt. Bienko attempted to resolve the issue with an entity that is considered to be a community partner. It seems clear from this investigation that Lt. Bienko was certainly direct, to the point, and unwavering in his request to gain information that would aid the patient in this case. His request for this information was based upon advice received from the Department's mental health liaison, Alina Stoothoff, a well respected partner. Although hospital staff felt that he was rude, Officer Young and the patient felt as though Lt. Bienko was extremely professional. They also place much of the blame on hospital staff that, for some reason, seemed unwilling or unable to provide the requested information. Whether he was rude or not, it does appear that Lt. Bienko could have handled this incident in a fashion more conducive to a partnership than a confrontation. Moreover, a quick review of the Florida Mental Health Act would have revealed the basis for which a voluntary patient can be held against their will at a mental health facility.

It is the recommendation of the Office of Professional Standards that Lt. Bienko research the Florida Mental Health Act and provide an appropriate TrainU segment to ensure this type of incident does not happen again. It is further suggested that the Department review our recent responses to the Vines in order to isolate and identify problematic areas that can/should be presented to the hospital for correction or adjustment. Hopefully these actions will foster a more effective working relationship between the two entities and allow for some degree of trust between all parties involved.

It is further recommended that this complaint be closed by way of "Resolved by Supervisor" action.

MB/mb

Ocala Police Department

Complaint Reception Record

...ete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Address:		Home Telephone No.:			
City:	State:	Zip:	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint: DET. BUETTI	Date Recived 4/16/15	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:
☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:	
Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

Complainant's Signature	Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 16th day of April, 20 15.

By (Signature of Affiant) _____

Personally Known ✓, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: Det M. Brett
Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department
Supervisory Inquiry

Number: SI 008-15

Complainant	Jessica Gibbs		Date Received	4/16/15
Address	2600 SW 19th Avenue Rd. (Wal-Mart)		Time Received	0900
City/State	Ocala, Florida		Received By	Melissa Buetti
Telephone	Home: (352) Work:352-237-7155 Ext. 100		Investigator	Sgt. Johnnie Robinson

Incident Location	Wal-Mart, 2600 SW 19th Ave. Rd., Ocala, FL
Violation Alleged	Dereliction of Duty: Rules of Conduct. 3.02 Prohibited Acts, P.6 Members shall not willfully neglect their duties. Department Policy 6.08 C. "An officer shall submit a preliminary report or statement for each required incident prior to ending his tour of duty each day, unless, holding the report or statement out for further investigation is approved by a Supervisor". Department Directive 7.08 E. 2. Reports – Preparation of Police Reports, Evidence and property collected and held by the Ocala Police Department must be correctly collected, properly documented, processed and secured. Collected evidence must be available for analysis and court presentation.

Accused Officer(s): Officer Tevyn Barry

Summary of Complaint	Officer Barry was assigned a Retail theft at Wal-Mart, 2600 SW 19th Ave. Rd. Officer Barry closed the case out as a Computer Assisted Dispatch (CAD) even though the facts of the incident met all the elements of a Retail Theft. Officer Barry also was provided evidence of the incident in the form of a video in which he collected pertaining to this case. As of today, neither a report nor evidence has been submitted.

Investigative Summary	On 4/10/15, Officer Tevyn Barry responded to the Wal-Mart located at 2600 SW 19th Ave. Rd. in reference to a Retail Theft. Upon arrival, Barry made contact with the loss prevention personnel officer's (LPO's) in the parking lot. After getting a briefing from them, he canvassed the parking lot in an attempt to find the suspects who fled the store. After unsuccessfully locating them, he met the loss prevention team in their office at the store. While speaking with the (LPO's) he collected a copy of a receipt of the stolen property, a picture of the suspect and a video of what had occurred. In addition, Barry obtained contact information and took written statements from the LPO's who were involved.

The loss prevention personnel stated that on 4/13/15, the same subject from the 4/10/15 incident entered the store and were committing a fraudulent return. The same offense that was committed on 4/10/15. LPO Kinsler stated they called the Ocala Police Department to report the incident. Ms. Kinsler stated the officers along with Detective Buetti arrived and she explained to them what had transpired. She stated that Officer Barry had taken a report on this subject on 4/10/15. The report nor the evidence could be located.

Gibbs stated she provided Detective Buetti a case number in which Buetti researched and determined that there was no incident report on file. Only a CAD report had been generated by Officer Barry with no comments added and closed on MDT as a Fraud.

On 5/18/15, I (Sgt Robinson) interviewed Loss prevention officer Timothy Williams. Mr. Williams stated on 4/10/15, he was present at the store when Officer Barry arrived. Williams stated he observed his co-worker, LPO Antavio Kinsler make contact with Officer Barry and advise him of what had taken place. Williams stated he observed Kinsler to give Officer Barry a copy of his statement, a video of the incident and a receipt of the monetary amount of the merchandise to Officer Barry. Williams stated Officer Barry did not ask him any questions pertaining to the case.

On 5/18/15, I interviewed LPO Antavio Kinsler. Kinsler stated he was on duty the day of the incident and made initial contact with Officer Barry upon his arrival. Kinsler stated he provided Officer Barry a description of the suspects and the last direction of travel. Kinsler stated Officer Barry canvassed the parking lot and returned advising he was unable to locate the suspect. Kinsler stated Officer Barry returned back to the LPO's office and requested a copy of the video footage of the incident as well as a statement from him. Kinsler stated he provided Officer Barry with a video copy of the incident, pictures of a receipt and a written statement. Kinsler stated he believes he wrote a statement but wasn't so sure. Kinsler stated after that Officer Barry provided them with a case number and advised them that he would be generating a report.

On 5/18/15, I interviewed Ms. Jessica Gibbs, the complainant. Ms. Gibbs stated on 4/10/15, she was contacted by her LPO's at Wal-Mart in reference to OPD case # 201500065931, which is the case in question. Gibbs stated on Monday 4/13/15, while she was at work she observed the same suspect from the aforementioned case enter the store. Gibbs stated she called the Ocala Police Department and advised the Communications Center of this and asked if an officer could respond. Gibbs stated Detective Buetti was one of the officers who responded.

Ms. Gibbs stated she spoke to Detective Buetti and told her about the case in which Officer Barry had responded to. She said that this was the same suspect. Ms. Gibbs stated she advised Detective Buetti Officer Barry's case number so she could reflect back on it. Ms. Gibbs stated she was advised by Detective Buetti that she could not locate the case. As a result, she would have to brief her on the particulars of the case. Ms. Gibbs stated she also advised Detective Buetti that Officer Barry was given a video of the incident, receipts and statements. Ms. Gibbs stated she has not heard anything from Officer Barry reference this case as of this date. Ms. Gibbs stated she has had several other cases with Officer Barry and that it has taken two month's for him to follow up with her on them.

On 5/19/15, I interviewed Detective Melissa Buetti. Detective Buetti advised that she became involved in this case by assisting patrol on a follow-up to the case in question. Detective Buetti stated she was working and heard a call dispatched to Wal-Mart and responded to assist. She stated the call was dispatched as a follow-up to the case in question. Detective Buetti stated, while enroute to the call, she attempted to pull up the report Officer Barry had written on the case, however she was unable to locate a report. Detective Buetti stated the case was closed out as a Retail Theft in CAD by Officer Barry and there was no further documentation or indication of a video or statements from the complainants attached. Detective Buetti stated she spoke with Ms. Jessica Gibbs and was advised by Ms. Gibbs that Officer Barry had been given a copy of the video, LPO statements and receipts from that case. Detective Buetti stated on 4/16/15 she received a formal complaint on Officer Barry and forwarded thru the chain of command. Detective Buetti worked the case and was able to make an arrest from her investigation.

	On 5/22/15, I interviewed Officer Tevyn Barry accompanied by his FOP representative, Officer Brennan Grady of the Ocala Police Department. I provided him with the Garrity Warning and Police Bill of Rights. Barry stated he was dispatched to this case (201500065931) and when he arrived the suspect had left the scene. Officer Barry stated he made contact with Wal-Mart LPO's, Timothy Williams and Antavio Kinsler in the parking lot of Hollywood 16. Officer Barry stated he was advised by them that the suspect was a Hispanic male whom had attempted to make a fraudulent return. Barry stated he canvassed the area in an attempt to locate the suspect and met with negative results. Barry stated, after not locating the suspect, he returned to the LPO's office at the store. Barry stated he spoke with LPO Antavio Kinsler in which he was provided a DVD copy of the incident along with written statements and cash register receipts from LPO Antavio Kinsler. Officer Barry also stated, he believes he submitted those entire articles in the appropriate place (evidence, records). Officer Barry also stated he did not submit a narrative to this case, when asked why he stated "he simply forgot and there is no excuse". After interviewing all possible witnesses in this case, it was determined that all witnesses stated that Officer Barry was the responding officer to the call. The witnesses all indicated that Officer Barry was given a DVD copy of the incident, written statements and a receipt pertaining to the case as evidence. The witnesses also stated Officer Barry provided a case number for the report. In the course of this investigation, I conducted a check of records, CIS and evidence for the written statements of the LPO's, the DVD of the incident and as of this date those items cannot be located. A record of the store receipts of the incident was located, however they were submitted on 4/22/15 (twelve days later).

Findings of Fact	

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Signature: _____

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Raney	Debra	S	9-23-60	W	F

Address:	Home Telephone No.:
2359 NE 7th St Apt C	352-804-7587
City: Ocala State: FL Zip: 34470	Work Telephone No.: 352 804-8054

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Fine Hour	Ashley	L		W	F

Supervisor (Name)	Rank:	ID No.:	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
Spring Manor Apts 2359 NE 7th St Apt C	4/16/15		11:30 pm

Reason for Contact: Slashed tires.

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

Ms. Fine Hour was Rude and disrespectful to me. Told me that it isn't a threat unless a weapon is involved. And if I would stop going to the manager's office reporting on this person she would leave me alone. That OPD won't give Monica Jones a Trespass. But it is Posted on the building OPD is authorized to Trespass anyone. My son Justin Raney (352 426 6213) and my neighbor Sharon Miller (352 422 8213) were both a witness to this

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: Debra S Raney Date: 4/30/15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
Sgt. Steven Cuppy	4/30/15		CC 009-15

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:
Sgt. Steven Cuppy			

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 5/21/15	
Professional Standards (Signature):	Date Filed: 5/22/15	I/A Number: 2015-09

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
4-30-15		

Complainant's Name (Last, First, MI.): Lowery, Debra S.

Employee's Name (Last, First, MI.): Stinehour, Ashley L.

Continuation of Complaint:

Conversation.

Ms. Stinehour treated me like I was a criminal. No Pics were taken by her or anyone w/ OPD But I have pics of all the damage to my car.

My problem with Monica Jones which is not on a file but I was here. Has escalated to this and now another incident since this might. Yes I have made several report to the management and also gave them police reports.

I'm in fear for my life and this officer made me feel like it is my own fault.

Out of all the officers (OPD) I've spoke to only the ones working here I have never had one talk to me this way.

Complainant's Signature: Debra Lowery

Date: 4-30-15

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Debra S. Baney realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 30 day of April, 2015.

By (Signature of Affiant) Debra Stoney

Personally Known _____, or Produced Identification ✓, Type of Identification FL DL

Official Notary Signature of Law Enforcement Officer: Sgt. Tom Guy

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: May 20, 2015

SUBJECT: Ashley Stinehour

FROM: Sergeant Michelle Green
MG

On 05-11-15 I was assigned to investigate a formal complaint lodged against Officer Stinehour for rudeness. I reviewed the incident report (201500069721) and Officer Stinehour's Vie Vu of the encounter with the complainant, Debra Raney. Officer Stinehour was polite and professional when speaking with Ms. Raney. Officer Stinehour investigated the case appropriately and even attempted to explain other options that Ms. Raney could explore to resolve her issues. I did not observe any violation of department directive.

On 05-19-15 I met with Ms. Raney and had a lengthy conversation with her about various issues that she is having with individuals at Spring Manor. Ms. Raney stated the she felt that Officer Stinehour was rude to her, but did state that she didn't raise her voice or curse at her. Ms. Raney advised that she felt that Officer Stinehour was speaking down to her and didn't care about the problems that she was having. Ms. Raney advised that she didn't want Officer Stinehour disciplined and admitted that she was upset when she was speaking with Officer Stinehour. I advised Ms. Raney that I would speak to Officer Stinehour and she was satisfied. I also forwarded Ms. Raney's information and complaints to Captain Escaravage to relay to the new property managers at Spring Manor in an attempt to assist her with the issues that she has been experiencing. I spoke to Officer Stinehour and explained Ms. Raney's feelings. This complaint has been resolved and a hard copy of this memo is attached to the original complaint to be forwarded up the chain of command.

MG/mg
Attachments: 4 (6 pages)
1. Complaint Form
2. Affirmation
3. Garrity
4. Policeman's Bill of Rights

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name: WILSON	First Name: FRONESKA	M.I.: T	DOB: 10-25-78	Race: BLK	Sex: F
Address: 621 NW 2ND ST #1432			Home Telephone No.: 352 361 1614 (CELL)		
City: OCALA	State: FL	Zip: 34475	Work Telephone No.:		

Employee Information

Last Name: RITZ	First Name: ANDREW	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name): SGT. BOS	Rank: SGT	ID No.	Supervisor on Scene: ☐ Yes ☒ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved: JOSE GONZALEZ			Rank: OFC.	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident: LONG STORE	Day of Incident: 3/20/15	Date of Incident: 3/20/15	Time of Incident: 4:00pm

Reason for Contact: MR LEE SLAPPED MY 13 YR OLD SON

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I FEEL LIKE MR LEE OWNER OF THE LONG STORE SHOULD HAVE BEEN ARRESTED FOR SLAPPING MY 13 YR OLD SON. THAT IS CHILD ABUSE MIND THE OFFICERS ON CALL DID NOT DO SO.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 5-11-15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s): 2015-5216-10	Complaint No.: CC 016-15

Attachments: (list):

Supervisor Remarks: I TALKED TO M. WELSON AND EXPLAINED WARRANT PROCEDURES AND HOW THE COURT SYSTEM WORKS. I ALSO EXPLAINED ABOUT DISINTERESTED WITNESSES. SHE WAS HAPPY AFTER OUR CONVERSATION COMPLAINT HANDLED

Supervisor (Signature/ID No.): [signature] Date: 5.19.15 Employee (Signature/ID No.): [signature] Date: 5/20/15

Action Ordered: ☒ Resolved by Supervisor (Explanation Attached) ☐ Forward for I/A Investigation

☐ Conduct Supervisory Inquiry (Assigned to _____) ☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature): [signature] Date: 5/22/15

Professional Standards (Signature): [signature] Date Filed: 5/22/15 I/A Number: [illegible]

CMX 052015

TW 5-20-15

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Tronessia Wilson realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 11 day of May, 2015.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification ✓, Type of Identification FDL W425-258-78-885-0

Official Notary Signature of Law Enforcement Officer: _____

Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
FYNEAH	BENJAMIN	IC	11/13/64	Blk	Male

Address:	Home Telephone No.:
2300 SW 43rd St Apt N2	

City:	State:	Zip:	Work Telephone No.:
Gainesville	FL	32607	701 220 5780

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Hunt	Charles		Ofc.	W	M

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Sgt. F. Zadnik	Sgt.	3701	N/A ☐ Yes ☒ No

Additional Officers Involved:	Rank:	ID No.:
NONE		

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
300 Blk N. U.S. 441	Thurs.	06/25/15	1013

Reason for Contact: Traffic Stop

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary): The other RACIALLY PROFILED and Stopped me for no apparent reason. I was NOT Speeding. Neither was I above the speed limit as Stated in his ticket report. I have a Calibrated GPS that Clocks my Speed as well as the Speed limit Posted. At the time of the Stop I was at least 300 yards from the traffic light and it was impossible for me to Speed while

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate

Complainant Signature: [signature] Date: 06/25/15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Sgt. F. Zadnik FZ	06/25/15	2015001116113	

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☑ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
[signature]	6/29/15

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report: 06/25/15	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

In such proximity to a traffic light. This is a case of racial bias - My car is also a "RENTAL" - a brand new car which might have raised biased inspired reactions. This is a Clear Violation of the Ethics and Principles of Policing

Complainant's Signature

Date 06/25/15

Page _____ of _____

Benjamin K Fynes'
2300 SW 43rd St
Apt N2
Gainesville FL 32607

06/25/15

Chief Craig Graham,
Central District
402 S. Pine Ave
Ocala FL 3447

Dear Sir,

This is to inform you that I was racially Profiled and Stopped and ticketed by one of your officers, Officer Charles Hunt.

I was approaching the traffic light in front of the Court house and there was no way I could have been Speeding. I have a Calibrated GPS System that not only Clocks my Speed but registers the Posted Speed limit. This is a Gross Violation of my Civil Right. I will plead with you to Please Properly investigate this incident.

Regards,

(Minn Benjamin K Fynes

Ocala Police Department
Supervisory Inquiry

Number: SI 011-15

Complainant	Mr. Benjamin Fyneah		Date Received	06/25/15
Address	2300 SW 43rd St Apt N2		Time Received	1013
City/State	Gainesville, Florida		Received By	Sgt. F. Zadnik
Telephone	Home: (701) 220-5780 Work:		Investigator	Sgt. S. Cuppy

Incident Location	300 Block N. US 441
Violation Alleged	Bias Profiling

Accused Officer(s): Officer Charles Hunt

Summary of Complaint	On June 25, 2015 at 10:13 am, Officer Charles Hunt stopped a vehicle being operated by Mr. Benjamin Fyneah for speeding. Mr. Fyneah stated in a written complaint that he believes he was racially profiled and was stopped for no apparent reason. Deputy Chief R. Smith has ordered a Supervisor Inquiry investigation in to the matter by the Office of Professional Standards.

Investigative Summary	Officer Charles Hunt is assigned to the Traffic Unit in the Special Operations Division within the Community Policing Bureau. On June 25, 2015 at 10:13 a.m., Officer Charles Hunt was operating stationary laser radar in the two hundred block of North Pine Avenue as traffic flowed south on Pine Avenue. He noticed a red Chevrolet Cruz that appeared to be exceeding the speed limit so he utilized laser radar and noted the speed of the vehicle at 48 mph at 524 feet away. The speed limit for that section of road is 35 mph. A traffic stop was made and video of the stop was captured on the in-car camera and VieVu system. Mr. Benjamin Fyneah was operating the vehicle. Mr. Fyneah's ethnicity is black. He stated the car he was operating was a rental vehicle and he was in Ocala finalizing a real estate transaction. Mr. Fyneah pointed out to Officer Hunt he has a GPS system that measures speed and notifies you if you are speeding. Mr. Fyneah was adamant that he was not speeding. Officer Hunt completed the traffic stop and issued Mr. Fyneah a speeding citation. Officer Hunt did reduce the noted speed on the citation to 44 mph, thus lowering the amount of the fine for the citation. Officer Hunt explained this to Mr. Fyneah. As seen on the video, Mr. Fyneah asked about filing a complaint over the stop because he did not believe that he was speeding. Mr. Fyneah immediately responded to the police department and filed a complaint on the stop noting that he did not believe he was speeding and that he believed the stop was made based on his race. Mr. Fyneah did not make the issue of racial profiling with the officer during the traffic stop. A review of the video from the traffic stop notes that while Mr. Fyneah disagreed with receiving a citation, he did remain calm and professional during the contact with the officer. I believe Officer Hunt conducted himself professionally, taking the time to explain the citation, and directing Mr. Fyneah where to go if he wished to file a complaint on the stop. I attempted to contact Mr. Fyneah on July 9, 2015 without success but did leave a voice message requesting a call back. On June 11, 2015, Mr. Fyneah called me back. He explained that due to his

	business travels he would not be able to make himself available for an interview on this case. I explained to Mr. Fyneah that I did several things to investigate the matter prior to calling him. We discussed my video review of the traffic stop. I explained the statistical data compilation review done on Officer Hunt's traffic contacts will break down the stops based on the race and sex of the individual being stopped. I stated of the 900 traffic citations written by Officer Hunt since January 1, 2015 to the present date, 156 (17.3%) of the citations were written to black males or black females. The statistical break down of the 900 traffic citations between January 1, 2015 and July 1, 2015 are as follows: White: 307 (F) 399 (M) Black: 80 (F) 76 (M) Hispanic: 8 (F) 7 (M) Asian/Pacific: 10 (F) 4 (M) Unknown: 3 (F) 6 (M) (F) – Female (M) – Male The statistical numbers for verbal warnings and written warnings for Officer Hunt have been added to this report. I noted to Mr. Fyneah there are two issues with this case. The first is receiving a speeding citation. I explained the discretion is with the officer on whether to cite a citizen with a citation but the burden of proof is on the officer to prove the violation in a court. I explained the remedies of paying the citation or contesting the citation in court. Mr. Fyneah stated the day of the incident he went to the courthouse and paid the citation in addition to taking the class to keep the points off your license. The second issue was the bias based profiling complaint on Officer Hunt. Mr. Fyneah stated from his perception he was being racially profiled and emphasized that perception can be a reality in his eyes. He based this on his belief that the GPS in his vehicle was accurately monitoring his speed and there could be no other valid reason for making a traffic stop on him. I explained that based on my review of the video and the review of the officer's stops I could not see a pattern of improper behavior nor a lack of professionalism by the officer. Mr. Fyneah was satisfied with my review of Officer Hunt and indicated if my review found no improper behavior that the complaint would not need to go any farther forward. I did interview Officer Hunt. Officer Hunt was asked for a definition of bias based profiling. He stated it is stopping or citing someone based solely on their race or sexual orientation. Officer Hunt stated he did not recognize the race of Mr. Fyneah at the time he locked his speed on the radar and the race of Mr. Fyneah did not influence his decision to stop or cite Mr. Fyneah.

Findings of Fact	The Office of Professional Standards recommends this case not move forward to a Disposition Panel for review. This is based on the comments from Mr. Fyneah, there being no indication that Officer C. Hunt stopped Mr. Fyneah based on his race, and there is no noted statistical pattern of concern that Officer Hunt is violating the bias based profiling directive.

Disposition	
Resolved with citizen and /or no further action deemed necessary	
Forward to Professional Standards for further investigation	
Issue to be resolved by Court	
Exonerated	
Unfounded	
Not Sustained	
Sustained	
Violation(s):	

Signature: _____ 7/21/15

7/24/15

MEMORANDUM

TO: Rodney Smith, Deputy Chief of Police

DATE: August 18th, 2015

FROM: M. K. Sommer Jr., Sergeant
Ocala Police Department

SUBJECT: Resolution of CC012-15

Please accept this memorandum as notification from the Office of Professional Standards that the status of CC012-15 is resolved at the supervisor level.

On 08/11/15, complaint CC012-15 was received from Dee Wilder in reference to her adult son's treatment on 07/09/15 during a contact with officers of this agency. Her written complaint centered on allegations of inappropriate force used by the officers as well as several of her own perceptions of how events transpired and how the incident should have been handled. The complaint was forwarded to the Office of Professional Standards where it was assigned to me for action. After reviewing the complaint, I reviewed the incident reports, Supervisor Review Report, and video segments for the incident. I concurred with the reviewing supervisors that the use of force in the incident was within department guidelines and the proper application of force was used in this case.

On 08/17/15, I spoke at length with Ms. Wilder about the incident. I was able to explain some procedures to her and dispel some third hand information she relied on to make her complaint. Ultimately, I was able to display to her that the officers of the Ocala Police Department acted properly in this incident and we agreed the complaint was resolved. She had several issues with how the situation has been handled to this point that did not involve this agency. They centered on the mental health treatment aspects that were the responsibility of the Marion County Sheriff's Office and The Centers. Ms. Wilder was urged to contact those entities with her concerns.

As always, should you require any further information in reference to this complaint, please contact me at your convenience.

MS/ms
Attachments:

1. Original Complaint Form
2. Supervisor Review Form
3. OPD Incident Report for Case 201500126191

.

MK
8/18/15

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Address:		Home Telephone No.:			
City:	State:	Zip:	Work Telephone No.:		

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Supervisor (Name):	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☒ No		
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	
Additional Officers Involved:			Rank:	ID No.:	

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 8/24/15
Professional Standards (Signature):	Date Filed: / I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
1/9/2015		

Complainant's Name (Last, First, MI.):

Wilcox, Dee

Employee's Name (Last, First, MI.):

[illegible]

Continuation of Complaint:

Complainant's Signature

Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this ____ day of _____, 20 ___.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, Type of Identification FLDL

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Brown	Sanquille	L	5/12/90	B	F

Address:	Home Telephone No.:
525 SW 15th St	Cell 352-426-4940

City:	State:	Zip:	Work Telephone No.:
Ocala	FL	34471	

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Mangum	Rachel		Officer	W	F

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene:
Sgt. McBride / Sgt. Green			☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
David Rodriguez		
Additional Officers Involved:	Rank:	ID No.:
Drue Hunley		
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
525 SW 15th St / Across in the grass	9/13-9/14/15		Night/Day

Reason for Contact: Trespassing Warrant / Restraining Order on Neighbors

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

I Sanquille called the police to get attention of an restraining Order / trespassing warrant on my use to be grandma / Sis / Brothers and related to her children kids, they spreading rumors about me using crack / cocaine to wreck my own family is against me and Brother's was cursing me & ~~[illegible]~~ due to these false rumors + recording they had known family + friends and put it on fb, to where the two officers came out and just told them →

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Sgt. M.K. Sommer JR	09/29/15	2015001175035	CC014-15

Attachments: (list):

Supervisor Remarks:

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☒ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date: 10/8/15
Professional Standards (Signature): T. Jodoin	Date Filed: 10/02/15

I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, MI.):

Continuation of Complaint:

not to come to my house + I not to go there, I mind you me and my son was playing baseball to ignore the neighbors yelling and laughing out to make fun from us, and distract my son some,

Ok, I Sanguille said "Thank you Officers for coming out i will go to the court to fill out an restraining order and that's when the female officer started asking my son some questions in I said no "Im his mother you not suppose to be questioning no under-age minor questions without his mothers rights "so that's when I took my son trophy's and certificate of his baseball accomplishments we walked towards the house and "The female officer yelled at me "you an crackhead and an unfit mother" I told my son to go into the house to put his stuff away an went towards the car and another cars - back to tell her she don't have "proper cause to be calling me that when I'm a strong blessed independent single mother, She said it again and said "she's calling def cause im on drugs acting crazy i said no I'm not I felled in got back up when i accident have the back of a trailer I got up and ran just to show them my leg is ok and im not on drugs, but that's when the grabbed me from behind (without proper cause) putting handcuffs and shackles on me feet and base me over 15-20 times on my back while the male officer whole body pressure

Complainant's Signature

Date

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) _____
realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 20 ____.

By (Signature of Affiant) _____

Personally Known _____, or Produced Identification _____, Type of Identification _____

Official Notary Signature of Law Enforcement Officer: _____
Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief of Police

DATE: October 2, 2015

SUBJECT: Resolution of CC014-15

FROM: Frank Zadnik, Sergeant
Ocala Police Department

Please accept this memorandum as notification from the Office of Professional Standards that the status of CC014-15 is resolved at the supervisor level.

On 09/29/15, complaint CC014-15 was received from Sanquille Brown in reference to her treatment on 09/13/15 during an interaction with officers from this agency. Her written complaint centered on allegations of inappropriate force used by the officers, injuries sustained as a result of this force, as well as inappropriate language and comments made by the officers. The complaint was forwarded to the Office of Professional Standards where it was assigned to Sgt. Michael Sommer and me for further investigation. After reviewing the complaint, I reviewed the incident report and Supervisor Review Report, and Sgt. Sommer reviewed the officer's videos recorded during the incident. Both Sgt. Sommer and I concurred with the reviewing supervisors that the use of force in the incident was within department guidelines and the proper application of force was used in this case. Officer Mangum's inappropriate comments and language will be documented by her supervisor in her employee log as requested by Captain T. Woods.

On 10/02/15, I met with Ms. Brown and her father-in-law at the Ocala Police Department and spoke with both about the incident. I explained that all of the reports and videos were reviewed and that the force used by the officers was deemed to be in compliance with Department directives based on the circumstances of the incident. I also assured her that the inappropriate language and comments made by the officers would be addressed. Ms. Brown was advised to contact the City of Ocala Risk Management office if she chose to pursue compensation for her injuries. Brown seemed to be satisfied with my explanation and no further action was requested by her.

As always, should you require any further information in reference to this complaint, please contact me at your convenience.

FZ/fz
Attachments:

1. Original Complaint Form
2. Supervisor Review Form
3. OPD Incident Report for Case 201500175035

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Van Fleet	Kelly	A	7/30/86	W	F

Address:	Home Telephone No.:
8135 NW 131st St. Rd.	(352) 591-1185

City:	State:	Zip:	Work Telephone No.:
Reddick	FL	32686	(352) 622-9612

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Unknown					

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:
409 NE 28 ST / Kangaroo Express			

Reason for Contact:
See attached memo

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):
See attached Forms.

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date: 11/8/15

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Received:	Related Case Number(s):	Complaint No.:
Sgt. Eric Hooper	11/8/15	N/A	

Attachments: (list):

Supervisor Remarks:

UNFOUNDED

Supervisor (Signature/ID No.):	Date: 11/8/15	Employee (Signature/ID No.):	Date:

Action Ordered:

☑ Resolved by Supervisor (Explanation Attached)
☐ Conduct Supervisory Inquiry (Assigned to _____)
☐ Forward for I/A Investigation
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:

Professional Standards (Signature):	Date Filed:	I/A Number:

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:

Complainant's Name (Last, First, MI.): Van Fleet, Kelly

Employee's Name (Last, First, MI.):

Continuation of Complaint:

We had four officers a while ago come in and ask for discounts and/or free items. Such things like fuel, sunglasses, candy, beer, & etc.... The main officer that does most of the speaking is a white male about 5'10 blonde hair and has very light facial hair. On this particular night around 12:45am - 1:00am he received a call and left his items like beer & food. He said he would be back. Around 2:30am - 3:00am he came back and wanted to purchase the items left behind. When I refused to sell the beer he became upset. There is no way our registers will allow us to ring up restricted items at certain times. It wasn't nothing personal towards him, but I can't. He left upset & I haven't seen him or the others since.

Also, during my conversation with the White officer he said that "no one would know that I sold him alcohol." "I won't tell anyone". I felt like it was a set up. At this time he came back by himself.

The other three officers didn't really say as much as he did. One was white, 5'7-5'8 lite brown hair, no facial hair, no visible tattoos, the other officer was also white 5'6, dark brown hair, no visible tattoos. The last officer had olive skin tone, dark brown/black hair, heavy set than the others, but he had manicured eye brows.

Complainant's Signature

Date 11/8/15

OCALA POLICE DEPARTMENT
AFFIRMATION FORM

I (Print name of complainant) Kelly A. Van Fleet realize that it may become necessary, during the investigation of my Inquiry/Complaint against an employee(s) of the Ocala Police Department, to meet with an investigator(s) of the Ocala Police Department.

I hereby accept the premise that if any action is initiated through a Court or Administrative Hearing, as a result of my Inquiry/Complaint, my testimony before those hearings may be required.

I acknowledge that pursuant to Florida State Statute 112.532(3), "Civil Suits Brought By Law Enforcement or Correctional Officers" that, "Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of persons, or organization or corporation, or the head of such organization or corporation, for damages, either pecuniary or otherwise, suffered during the performance of the officer's official duties or for abridgment of the officer's civil rights arising out of the officer's performance of official duties".

I acknowledge that pursuant to Florida State Statute, 837.012, that, "Perjury when not in an official proceeding: (1) Whoever makes a false statement, which he does not believe to be true, under oath, not in an official proceeding, in regard to any material matter, shall be guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

I so hereby affirm that I have read this form and that the information provided by me reference my Inquiry/Complaint is true and complete to the best of my knowledge and belief.

Subscribed and sworn to before me this 8 day of November, 20 15.

By (Signature of Affiant) [signature]

Personally Known _____, or Produced Identification ✓, Type of Identification FL Drivers License

Official Notary Signature of Law Enforcement Officer: Sgt. Thompson

Original of this form is to be attached to Inquiry/Complaint Form.

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: November 20, 2015

FROM: Michael Kurtz, Lieutenant
Ocala Police Department

SUBJECT: Citizen Complaint 015-15

On November 8, 2015 Sergeant Eric Hooper spoke to Kelly Van Fleet in reference to a complaint possibly involving some officers with the Ocala Police Department. Ms. Van Fleet works as an Assistant Manager at the Kangaroo Express located at 909 NE 28th Street and is assigned to the night shift.

At the time Sergeant Hooper spoke with Ms. Van Fleet she indicated to him the store will give free drinks to officers when they come in. She indicated on one evening four officer's came into the store and they had requested discounts on some items in the store such as sunglasses to which she informed them they could not get discounts on those items. She also indicated one of the officers attempted to buy beer but received a call and had to leave but said he would return for the items later. Ms. Van Fleet indicated it was after 2:00 AM when the officer returned and asked to purchase the beer. She informed him they could not sell it after that time of the morning.

Ms. Van Fleet gave Sergeant Hooper a brief description of the officers and filled out a complaint form.

The complaint was forwarded to the Office of Professional Standards for a more in depth look into the matter. On November 19th, Ms. Van Fleet responded to the Ocala Police Department where a more detailed interview was conducted with her.

Ms. Van Fleet advised approximately six (6) months ago she was working the night shift at the Kangaroo Express. She stated it was close to closing time for the clubs and they were very busy inside the store. She advised for officers came into the store and at some point one of the officers was over by the sunglasses and asked her if he could get a discount on the sunglasses to which she informed him no and they only receive drinks for free. Ms. Van Fleet said the officer s were not rude and felt they were just being sarcastic with her.

The other issue she had was one of the officers walked up to the counter with some beer and was about to purchase it, however; he received a call and had to leave the store advising he would return to purchase the items. She stated they close the store at approximately 2:00 AM to 4:00 AM to keep the club crowds away in an effort to keep any problems down. She advised the officer returned after 2:00 AM, she let him in the store, and he wanted to purchase the beer. She informed him she could not sell him the beer after 2:00 AM and he told her no one would know. She still refused to sell him the beer. She advised the officer was not rude, he did not pursue it any and left the store. Ms. Van Fleet indicated she thought it was some type of test to see if she would sell him the alcohol after hours.

Ms. Van Fleet stated these officers had only been in the store one time and have never returned while she was working.

Ms. Van Fleet stated she did not want to make a complaint but had informed Officer Hoffman about the incident in a conversation with him and afterwards Sergeant Hooper had approached her about the incident. She also stated she did not want the officers to get in trouble.

Ms. Van Fleet was shown pictures of all the patrol officers and also the Directed Patrol Unit officers. She did not recognize any of the officers that were in the store that evening.

Ms. Van Fleet was asked how she knew they were Ocala Police Department officers and she replied one of the officers had a blue uniform on, however; she was not able to describe any other details about the uniform. She was asked for a description of the officers to which she advised the officer who wanted to purchase the beer was a white male and what she described as a "goatee" for facial hair. She described the other officers as not having regular uniforms but each of them had tactical vests on and they were all white males. She stated that she was not sure the officer who purchased the beer was actually with the other three officers.

There was no video available and Ms. Van Fleet said she did not see any of their vehicles. She also stated it was very busy in the store at the time so she did not get a good look at any of them.

It is clear from speaking with Ms. Van Fleet and her description of the officer in the blue uniform it was not an Ocala Police Department officer. Also with her reviewing the photographs of all or officers it would appear that the other officers, who were in the tactical vests, are also not officers with the department. It is possible the person in the blue uniform could have been a security guard as many of them wear blue uniforms and the officers in the tactical vest could work for the MCSO.

At this time I do not believe the officers are Ocala Police Department officers and I would request this complaint be unfounded.

MJK/mjk

Ocala Police Department

Complaint Reception Record

Please complete this form and return it to the Ocala Police Department. You may be contacted at a later date for additional information. You will be notified to verify receipt of your complaint. If you do not know how to fill-in or understand a blank, please leave it empty.

Complainant Information

Last Name:	First Name:	M.I.:	DOB:	Race:	Sex:
Tucker	Craig	A.	10/28/54	W	M

Address:	Home Telephone No.:
2928 NE Hwy 329	352-622-2451

City:	State:	Zip:	Work Telephone No.:
Anthony, Fl.	Fla.	32617	352-812-2895

Employee Information

Last Name:	First Name:	M.I.:	Title/Rank:	Race:	Sex:
Letson, I	Rebecca				

Supervisor (Name)	Rank:	ID No.	Supervisor on Scene: ☐ Yes ☐ No

Additional Officers Involved:	Rank:	ID No.:
Reese, , Eric		
Additional Officers Involved:	Rank:	ID No.:
Additional Officers Involved:	Rank:	ID No.:

Complaint Information

Location of Incident:	Day of Incident:	Date of Incident:	Time of Incident:

Reason for Contact:

Remedy Sought:

Statement of Complaint: (Use additional sheets if necessary):

SEE ATTACHED

NOTE: By signing this document you are swearing and attesting that, under penalty of law, the information contained herein is true and accurate	Complainant Signature:	Date:

FOR POLICE DEPARTMENT USE ONLY

Person Receiving Complaint:	Date Recived	Related Case Number(s):	Complaint No.:
Lt. Kyle	11/25/15		

Attachments: (list):

Supervisor Remarks:

ASSIGNED TO LT. WOODS / SEE ATTACHED MEMO

Supervisor (Signature/ID No.):	Date:	Employee (Signature/ID No.):	Date:

Action Ordered:

☐ Resolved by Supervisor (Explanation Attached)
☐ Forward for I/A Investigation
☑ Conduct Supervisory Inquiry (Assigned to _____)
☐ Conduct Supervisory Inquiry (Assigned to IA)

Deputy Chief (Signature):	Date:
	11/25/15

Professional Standards (Signature):	Date Filed:	I/A Number:
	12/3/15	

Ocala Police Department

Complaint Reception Record Narrative

Date of Report:	Complaint No.:	I/A No.:

Complainant's Name (Last, First, MI.):	Employee's Name (Last, First, MI.):
BAKER CRAIG A.	

Continuation of Complaint:

my complaint with officer R. Letson (5641RL) is her writing in IR # 2015000219151 has lies plus she embellished her writing to further implement me in crimes. I believe she should lied when I called her to find out what this was about As she didn't witness any criminal activity and if she cared so much about the child, she should never had let us leave the park. I really don't wish to jeopardize her career but feel she needs to be spoken with by an older more seasoned officer - definitly not officer Eric Reese (040382) for I feel as my second complaint that he was instrumental in this incident. The first I met officer Eric Reese (040382) he displayed signs of racism 08/24/11 IR# 2011000C9445

To start with first complaint I had the child home by 1500 hours at the request of her mother. Next the child grabbed my hand for support because previously she had cut her toe while fishing at the dock at Tuscawilla Park. The child does this when she is hurt or scared. We had just crossed the road and walked down steps, she was limping, when at the bottom of steps she let go of my hand. We never noticed officer R. Letson (5641RL). We did however noticed approximately 6 or 8 officers standing around, after leaving that area (in front of the Auditorium) there where more steps and a hill which she probably grab my hand again. But the officer we did notice following and watching us was officer Eric Reese (040382). We never did really notice officer R. Letson (5641RL) until we were driving away and she walked out to talk to another car parked beside the road that we had to pass.

Complainant's Signature	Date
Craig A Baker	Nov. 25, 2015

Ocala Police Departn ent

Complaint Reception Record N irrativ e

Date of Report:	Complaint No.:	IA No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint

Officer R. Letson (5041RL) embellished our behavior to state I grabbed the childs lower waist Line would be false. I put my hand in the middle of her back to guide her through the crowd. Then officer R. Letson (5041RL) implied of buying food and gifts. It was lunch time so the child and I had a hotdog. Then while walking around the crowd the child noticed cookies & Fudge and asked for some. Nothing illegal About having dessert After lunch. The child then noticed a balloon man giving away balloons. She get one for free. This is when the child whispered to me that officer E. Reese (colored) was following us and watching the child. The child felt really paranoid about "the strange black officer (colored) always looking at her. This would have been a good time for officer Eric Reese (colored) to come and question us. Although there was Nothing illegal going on. The child and I walked toward the playground where she swung for a few minutes and decided she wanted two more balloons for her two little brothers. We then walked back to the vendors parking lot where the balloon guy was, to get more balloons. The balloon guy was asking for donations so I gave the girl money for the balloons and told her to say "Thank you to him. The balloon guy's mother asked me if I had adopted the girl and I told her I was the girls friend and that I tutor and mentored the child for years. The child decided to go home early because she had three balloons to carry plus she noticed officer Eric Reese (colored) staring at her again. Because we parked our car in the North parking area we walked continued walking

Complainant's Signature	Date
Craig A Dunk	Nov 9, 2015

Ocala Police Departn ent

Complaint Reception Record N irrative

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint:

from behind the auditorium to the north parking lot. when we went to cross the road we noticed Officer E. Reese and a white male officer coming our way. Neither officer said anything to us, but the child said officer Reese (c4038R) touched the white officers shoulder and pointed at her. when we left there was a person parked beside the curb like waiting for someone when we witnessed Officer R. Letson (5641RL) walk over to talk to the person parked wrong. Officer RLetson (5641RL) stated in FIR# 201500219151 that she was looking my tag number then embellished her statement by writing that the child was sitting next to me in front seat. Not possible because we have a console compartment in the center with drink holders which we had drinks in. Officer R Letson (5641RL) stated in her report that a couple of venders had made statements about the child and me. Officer R. Letson "Leds" the venders to her own conclusions about me and the childs relationship. I went to the hot dog vendor the day after I got this report. The vender and his wife said no police ever talked to them about us. And they said we were easy to remember "old white guy with black child" Then Officer R. Letson stated in the check out at O.P.D. T.R.# 20110000 9445 that E Reese (c4038R) had responded to about me following "two small black girls juveniles around complex. The report TR# 20110000 9445 IN NO WAY said that. It said there were two small kids. Actually when E. Reese (c4038R) Arrived at this incident there was one boy age 10 who disappeared quietly when the Officer E.Reese (c4038R) Asked for my I.D. That is when the girl (same little girl as (FIR# 201500219151) showed up

Complainant's Signature Craig A Yeomans Date Nov 27, 2015

Ocala Police Departn ent

Complaint Reception Record N irrativ

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint:

And told officer E.Reese (40382R) that I WAS At the complex to see her. Officer EReese (40382R) Then stated that I should not be friends to young black girl and removed her from my custody And sent her by herself to find her mother (the child was only 6 years old at this time) This was wrong because her mother had left her in my care. This was my second complaint.. The mother came AND officer E. Reese (40382R) took her AWAY from my hearing and told her that a little black girl should not be with a white man. The mother told the officer that she And her child had a good relationship with me And that I had been instrumental in getting her child to like doing her school and homework, And that when her child had just recently been seriously sick And in the hospital that my visits to her child had me the child very happy. This report (CR# 2011000094 45) was wrote up the way the complex Manager Dixie Hare, which I know to be Racist by comments made at center where my wife and I helped kids with school work, And the way E.Reese (40382R) responded to the complaint Led me to believe him AS Racist And Biased-Based profiling. which is why I feel he instigated this last IR# 2015000 19851 by officer R. Letson (5641RL) this visit had nothing to do with 4-H And everything to do with the childs homework. No one mentions that I had volunteered for 3 years at the center And 4-H meetings And projects at Spring Manor. Officer R. Letson (5641RL) goes on to say that MCSO came to my house for well being check and

Complainant's Signature [signature] Date Nov 21, 2015

Ocala Police Departn ent

Complaint Reception Record N irrativ

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint:

Stated that people could be heard walking around fast like we had something to hide. my son was in the back bedroom and being home Alone did not hear a knock. The only reason he came to the door was that the dogs were barking and he Assumed it was children from next door who are Always coming over. to play on the girls trampoline and rope swing. To his suprise it was 2 deputies who said they were looking fo me. My son told them I was not home. Officer Eletsons report states that my son said I was home, This was A Lie. The deputies Ask if he was my son, he told them yes. The deputies Never ASK my son his name. in officer Eletson report says my son refused to give the deputies his name. Another Lie.

My son asked the deputies why they are looking for me which they responded about an incedent in town but they would not elaborate on. the deputies then proceeded in questioning my. son As if they didn't believe him when he said he didn't know where I was at — so my son told the deputies if they can't answer his question that they could then leave the property when I arrived home I called to talk to the deputy to find out what happened. MCSC dispatch said the deputy would call me back — but he never did.

On Monday November 16th I went to MCSO substation And was told the deputy was off duty but original complaint came from O.P.D. I called O.P.D. they said only officer R. Eletson would know why the deputies

Complainant's Signature	Date
Craig A Graham	Nov 25 2015

Ocala Police Departn ent

Complaint Reception Record N irrativ e

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint:

were at my home and that CPS had no report. So I gave them my name and phone number, on Wednesday November 18th Officer R. Letson called me and said she had a 911 call from A vendor saying inappropriate behavior And wanted to talk with the child. No where in 1R# 2015cc219151 does it say anything About a 911 call. I still believe Officer E. Reese instigated officer R. Letson I told officer R. Letson I would talk to the mother that day and would call her later. Officer R. Letson then threatened me by saying if I would not give her the child she was turning this over to A detective. I then called OPD internal Affairs to say Summer who told me there is nothing they could do. That same day I had to drive the mother and child to A doctors Appointment. The child is kinda sickly due to Asthma. The mother was MAD that OPD were in "her business" and said she did not want to deal with this. While at the doctors MCSO Lt. Owens called me and said they were at my house and because he talked to me as all officer should talk, I talked to the mother and she Agreed to let him talk to her daughter. Then when he said he was going to have OPD show up the mother changed her mind. I called MCSO Lt. Owen Back and told him the mother left my car and started walking. Then I went and talked the mother into getting back in my car to take her home. Lt. Owen said he was almost in town and what route would I be taking. He asked for me to stall the mother. Lt Owen

Complainant's Signature: Craig C Lynch Date: Nov 25, 2015

Ocala Police Departn ent

Complaint Reception Record N irrativ :

Date of Report:	Complaint No.:	I/A No.:
Complainant's Name (Last, First, MI.):		Employee's Name (Last, First, M

Continuation of Complaint:

called in behind me and pulled me over at Heir BAxley Funeral home. Officer Hunley treated me with proper respect but I would like it to be said in the final paperwork that I was courteous, complied with him and MCSO Lt. Owens. Also in the statement from officer Hunley he stated that Clayton was driving. She was not, she has No drivers License. I would also change, I've known And worked with the Clayton Family And children for 5 years.

I would like to see all lies And embellishments taken out of IR# 201500219151.

I've Already stated what I want about officer R Letson needing more police education. Officer Eric Reese should go to racial or Bias Base profiling classes. (as road he has done this to me 2 times) And A incident report put in his personel files for future cases.

I will eagerly wait to hear from you.

I would also like a copy of changes in the incident report when it finished.

CRAIG A. TUCKER cell 812-7895
P.O. Box 87 cell 857-5778
SPARR, Fl home 622-2451
32193-0087

Complainant's Signature Craig A Tucker Date Nov. 25, 2015

MEMORANDUM

TO: Rodney Smith, Deputy Chief

DATE: January 5, 2016

SUBJECT: Citizen Complaint 016-15

FROM: Billy Woods, Lieutenant

On December 7, 2015, I received the citizen complaint #CC 016-15 from the Office of Professional Standards under your direction. I was directed to look into the matter and come to a resolution. This complaint came from Mr. Craig Tucker in regards to a Department Information case written by Officer Letson, in regards to the suspicious nature of Mr. Tucker and a young (approx. 12 y.o.a.) female in Tuscawilla park. Mr. Tucker alleges that Officer Letson has untruth statements within her report and that Officer Reese (assisting officer at time of incident) is prejudice.

- After reviewing all related reports and speaking with the other officers (Ofc. Reese and Sgt. Charlie Eades) involved in the specific incident on 11/14/15, both Ofc. Reese's and Sgt. Eades' statement support the written report by Ofc. Letson. All three stated that several patrons and a couple of vendors brought the suspicious activity to their attention.

- Within Ofc. Letson's report she refers to a previous incident (1-14-11) involving Mr. Tucker and Ofc. Reese and this is one of the areas that Mr. Tucker references as to untruth. Ofc. Letson paraphrased what occurred which is not an untruth statement. She also comments within the report to the contact that the Marion County Sheriff's Office had with Mr. Tucker on 11/18/15. She wrote what the deputies advised her which is not an untruth statement.

- In regards to Ofc. Reese, there is no information that supports that Ofc. Reese's action was prejudice.

- The officers did not make contact with Mr. Tucker within the park and took an observation approach. Although Mr. Tucker's action did meet reasonable suspicion, it did not rise to the level to necessitate contact and/or intervention and the officers were not wrong in doing so.

- Officer Reese did not recognize nor remember the 2011 case with Mr. Tucker until after Ofc. Letson obtained Mr. Tucker's vehicle registration information and Mr. Tucker had left the park with the child. It was at this time the supervisor and the officers felt it necessary to do a well being check on the child at the home of Mr. Tucker to help alleviant any potential form of wrong doing by Mr. Tucker.

- When MCSO deputies made contact with Mr. Tucker's son at Mr. Tucker's home on 11/14/15, his actions did not immediately alleviate the reasonable suspicion but rather increased it with his refusal to give information on his father and the child.

- On 11/18/15, Ofc. Hunley and MCSO deputies made contact with the mother of the child, Queasha Clayton, which did lead to the verification of the child's safety. Ofc. Hunley interviewed Mr. Tucker, who was present during the stop, and Quenage Clayton (12 y.o. in question) while Lt. Owen with MCSO spoke with the mother, Queasha Clayton.

It is clearly evident that the actions observed did rise to the level of reasonable suspicion to the average citizen. The actions of Ofc. Letson and Ofc. Reese was prudent and more than justified.

On 12/17/15, I conducted a taped interview with Mr. Craig Tucker with his son present along with Sgt. Zadnik. At the conclusion of the interview and during a follow up phone call on 1/5/16 with Lt. Biondi present during the phone call, I advised Mr. Tucker that there was no wrong doings on the officers' behalf and that there would be no further action taken. Mr. Tucker was not satisfied with my conclusion and advised that he would take it further.

WW/